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Medicine Bow Landscape Vegetation Analysis Project

Reissued Draft Record of Decision

Medicine Bow-Routt National Forests and Thunder Basin National Grassland
Laramie and Brush Creek/Hayden Ranger Districts
April 2020

Forest Service

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Cover photo: Matrix of forested area on the Medicine Bow-Routt National Forest depicting aspen stands, conifer stands, and beetle-killed stands. (provided by U.S. Forest Service).

Medicine Bow Landscape Vegetation Analysis Project
Reissued Draft Record of Decision

Albany and Carbon Counties, Wyoming

Lead Agency:	USDA Forest Service
Cooperating Agencies:	Wyoming State Forestry Division, Wyoming Game and Fish Department, Wyoming Department of Environmental Quality, Wyoming State Historic Preservation Office, Cheyenne Board of Public Utilities, Wyoming Department of Agriculture, Albany County Commissioners, Albany County Fire Warden, Carbon County Commissioners, Little Snake River Conservation District, Laramie Rivers Conservation District, Medicine Bow Conservation District, Saratoga-Encampment-Rawlins Conservation District, Bureau of Land Management, State of Wyoming Governor's Office, and U.S. Fish and Wildlife Service.
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Abstract: The Forest Service has prepared the Medicine Bow Landscape Vegetation Analysis Project (LaVA Project) reissued draft record of decision (draft decision) in compliance with the National Environmental Policy Act, the Healthy Forests Restoration Act, the 2003 revised Medicine Bow Land and Resource Management Plan (forest plan), and other relevant Federal and State laws and regulations. The reissued draft decision is supported by the LaVA Project modified final environmental impact statement (April 2020) which is incorporated by reference into this decision. This reissued decision authorizes integrated management actions to be adaptively implemented over a 15-year period beginning in 2020 and ending in 2035. The project is needed to respond to unprecedented landscape-level tree mortality from bark beetles and other forest health issues affecting the Medicine Bow National Forest; to reduce threats to ecosystem components, including forest resources; and to reduce hazardous fuels to minimize the potential for large-scale, high-intensity wildfires. The reissued draft decision authorizes the implementation of the agency preferred alternative (alternative 2), referred to as the modified proposed action, with additional modifications. Additional modifications are based on input from LaVA cooperating agencies and comments received from interested publics during the 45-day comment period for the draft environmental impact statement (July 7 to August 21, 2018). More recent modifications are based on concerns raised in letters of objection to the project, received during the April 20 – May 20, 2019 objection process (36 CFR 218, subparts A and C), as well as from guidance provided by the Forest Service's Rocky Mountain Regional Office.

Public Availability of Supporting Documents: The reissued draft record of decision and modified final environmental impact statement for the LaVA Project are available for public review in the Forest Supervisors' Office in Laramie, Wyoming and on the LaVA Project website at http://www.fs.usda.gov/project/?project=51255. A final decision will not be made on this project until the later of the following dates: (1) ninety days after publication of the notice for a draft environmental impact statement or (2) thirty days after publication of the notice for a final environmental impact statement (40 CFR 1506,10, Timing of agency action).

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Background

The Medicine Bow Landscape Vegetation Analysis (LaVA) Project is a large, landscape-scale National Environmental Policy Act analysis designed to produce one decision authorizing up to 360,000 acres of vegetation management on the Medicine Bow National Forest for the next 15 years. The LaVA Project was developed to respond to unprecedented landscape-level tree mortality from bark beetles and other forest health issues that have affected hundreds of thousands of acres across the forest since the late 1990s. The magnitude of these issues led the Forest Service's Washington Office to designate the LaVA analysis area as a priority landscape for the treatment of insects and disease under section 602 of the Healthy Forests Restoration Act (2003, as amended (2014) in 2017 (2017 USDA Forest Service). The Healthy Forests Restoration Act provides expedited procedures for administrative review of projects authorized under the Act as well as expedited procedures for complying with National Environmental Policy Act requirements.

Introduction

On April 19, 2019, the Medicine Bow National Forest released the LaVA Project final environmental impact statement and draft record of decision for a 30-day project-level pre-decisional administrative review period, or 'objection period' (36 CFR 218, subparts A and C). By the close of the objection period, the Forest Service had received 27 letters of objection to the draft decision. During the subsequent 30-day objection-response period, the Forest Service's Rocky Mountain Regional Office reviewed the letters of objection and made recommendations to the forest for responding to several objection points and for strengthening the analysis.

Given my desire to be responsive to public concerns and to strengthen the analysis, I needed time to review and analyze the regional recommendations and adopt those that would help me to improve my decision. I could not do that within the constraints of the 30-day objection-response period, as mandated by the Healthy Forests Restoration Act. Consequently, on June 18, 2019, I withdrew the April 2019 draft decision and cancelled the LaVA objection process. This action afforded my staff and I the opportunity to review the regional recommendations, conduct additional analysis, where appropriate, and to disclose the effects of adopted recommendations in a modified final environmental impact statement. The April 2020 modified final environmental impact statement, released in conjunction with this decision, responds to the concerns raised in the 2019 objection letters, discloses augmented effects analyses, where appropriate, and provides the foundation for my decision.

Regional Recommendations – 2019 Objection Process

The following information outlines public concerns identified during the 2019 Objection Process, as well as analysis recommendations provided by the Forest Service's Rocky Mountain Regional Office. The concerns have been addressed in the April 2020 modified final environmental impact statement and Modified Appendix A: Adaptive Implementation and Monitoring Framework.

HEALTHY FORESTS RESTORATION ACT

CONCERN 1: Failure to consider a reasonable range of alternatives and insufficient analysis of the no action alternative

Recommendations:

- Clarify in the record of decision, under Other Alternatives Considered, the consideration of all alternatives suggested by the public, including the rationale for eliminating them from detailed study.
- Clarify that the responsible official may consider incremental changes to a proposed action as alternatives considered, as allowed for at 36 CFR 220.5(e)(1).
- No recommendations were provided for the analysis of the No Action alternative; the existing analysis was deemed adequate.

CONCERN 2: Failure to comply with Section 102(e) - Old Growth and Section 102(f) – Large Tree Retention

Recommendations:

- Correct an error made in the April 2019 draft record of decision regarding reference to Section 102(e) of Healthy Forests Restoration Act.
- Augment the analysis in the environmental impact statement to demonstrate compliance of the modified proposed action with Sections 602(d) and (e) of the Healthy Forests Restoration Act.

TRAVEL MANAGEMENT RULE

CONCERN: Non-compliance with the Travel Management Rule (2005)

Recommendation:

- Incorporate language from Appendix B: Response to Comments into the modified environmental impact statement to better explain why the Travel Management Rule does not apply to the LaVA Project.

ROADLESS RULE / INVENTORIED ROADLESS AREAS

CONCERN: Non-compliance with the Roadless Rule (2001)

Recommendations:

- Clearly articulate the association between fuels treatments, commercial recovery, and the disposition of commercial activities within Roadless areas in the environmental impact statement. Provide clarifications in the record of decision regarding compliance with the 2001 Roadless Rule, specifically:
    - Provide a consistency statement with the 2001 Roadless Rule exception(s) to tree cutting.
    - Provide additional definition on the intent and objective of the mechanical activities analyzed in the environmental impact statement and described in the record of decision.
    - Clarify that road construction or reconstruction would not be authorized in roadless areas.
    - Define where commercial activities might occur in roadless areas to protect resources at risk (e.g., wildland urban interface areas, state land inholdings).
    - Provide more detailed roadless maps (e.g., structures, wildland-interface areas).

ECONOMICS

CONCERN: Failure to adequately analyze economics

Recommendations:

- Clarify in the record of decision that the amount of treatments/activities conducted annually would be contingent upon available funds and staff.
- Verify input data associated with financial efficiency analysis and economic contribution analysis.
- Provide a more complete, quantified or monetized articulation of the project cost and benefits.

WILDLIFE – PREBLE'S MEADOW JUMPING MOUSE

CONCERN: Failure to consider impacts to suitable Preble's jumping mouse habitat

Recommendations:

- Provide a map of the location of the Preble's meadow jumping mouse habitat as supplemental documentation to the Biological Assessment.
- Clarify in the environmental document which accounting units contain suitable habitat for Preble's meadow jumping mouse. Provide a location in the description of the affected accounting unit.
- Clarify that treatment opportunities would not occur in Preble's meadow jumping mouse habitat.

WILDLIFE – SOUTHERN ROCKIES LYNX AMENDMENT

CONCERN 1: Failure to demonstrate compliance with Southern Rockies Lynx Amendment Vegetation Standard S1

Recommendations:

- Clarify, in the record of decision, consistency with Southern Rockies Lynx Amendment Vegetation Standard S1 exemption regarding adjacency and consistency with the habitat conversion limits in lynx analysis units.
- Address both conditions as a trigger point in Appendix A: Adaptive Implementation and Monitoring Framework, Attachment 1: LaVA Decision-making Triggers.
- Correct a statement in the Biological Assessment indicating that treatment opportunity was reduced in the Battle Creek lynx analysis unit so that fuel treatment projects will not result in more than three adjacent lynx analysis units exceeding Vegetation Standard 1.
- Obtain clarifying documentation from the US Fish and Wildlife Service for compliance with the Southern Rockies Lynx Amendment.

CONCERN 2: Failure to demonstrate compliance with Southern Rockies Lynx Amendment Linkage Corridors and Connectivity Requirements

Recommendation:

- Provide supplementary documentation of linkage areas with respect to vegetation management, effects on connectivity, maintaining the integrity of the linkage area, and consideration of the Southern Rockies Lynx Amendment linkage area objectives and guidelines.

TRANSPORTATION

CONCERN 1: Failure to adequately demonstrate a need for temporary road construction

Recommendations:

- Clarify in the record of decision: a) the estimated miles of temporary roads that may be needed, by year, based on annual treatment estimates over the life of the project; and b) the projection and analysis tools that were used to estimate the volume, scope, and scale of temporary road access.
- Develop a limit to the number of temporary roads that may be open at one time.
- Create a temporary roads checklist within Appendix A: Adaptive Implementation and Monitoring Framework.

CONCERN 2: Incomplete Transportation Report

Recommendation:

- Revise Transportation Report Appendix A (Best Management Practices), Appendix B (Engineering Design Guidelines), and Appendix C (Road Definitions and Standards) to incorporate specifics about temporary road construction standards, decommissioning activities, and tools that will effectively close temporary roads to the public during periods of inactive operations.

APPENDIX A: ADAPTIVE IMPLEMENTATION AND MONITORING FRAMEWORK

CONCERN 1: Appendix A lacks multiple items to ensure resource protection

Recommendations:

- Ensure that the decision-trigger table and checklists address all resource areas and not just those identified as project issues.
- Ensure that checklists include details of all requirements that must be completed for each resource/discipline (for example, consultation requirements, survey requirements).
- Make checklists available to the public.

CONCERN 2: Public engagement opportunities are insufficient

Recommendations:

Update Appendix A to:

- Guarantee annual public meetings and fieldtrips; include timelines for projected engagement efforts.
- Clarify mechanisms for providing feedback to individual treatments.
- Incorporate measures for monitoring the effectiveness of public engagement opportunities.
- Include a comparative analysis of commitments required by Appendix A against commitments associated with an Insect and Disease Categorical Exclusion project to determine adequacy of proposed public engagement opportunities.

HYDROLOGY - CUMULATIVE WATERSHED EFFECTS

CONCERN: Failure to adequately address and disclose site-specific direct, indirect and cumulative watershed effects

Recommendations:

- Clarify that Best Management Practices designed to protect water quality will be monitored.
- Analyze all indicators that could potentially affect the Physical, Aquatic, and Terrestrial portions of the Watershed Condition Framework.
- Add a row to Appendix A: Attachment 6, Monitoring Plan to monitor cumulative watershed effects.

Chapter 1 of the modified final environmental impact statement includes Table 1 which outlines the specific changes that were made to the LaVA analysis based on the 2019 objection process. This table demonstrates my responsiveness to the concerns raised and provides a row-by-row account of analysis modifications and clarifications. Modified Appendix A: Adaptive Implementation and Monitoring Framework also includes information about modifications that were made to this document to be responsive to concerns raised in the letters of objection (page 5).

Reissued Decision – Overview

This reissued draft record of decision, hereinafter referred to as 'decision,' documents my intent to select alternative 2, the modified proposed action[1], for implementation on National Forest System lands administered by the Laramie and Brush Creek/Hayden Ranger Districts of the Medicine Bow National Forest. Alternative 2, as analyzed in the April 2020 LaVA Project modified final environmental impact statement, proposes up to 360,000 acres of individual vegetative treatments over a 15-year treatment authorization period, beginning in 2020 and ending in 2035. During this time period, individual vegetative treatments will be authorized in pre-defined treatment opportunity areas only, as described below, and treatment implementation will be guided by Appendix A, the LaVA Project adaptive implementation and monitoring framework (April 2020). Appendix A outlines an adaptive, five-phase process for identifying, refining, field verifying, implementing, and monitoring individual treatments over the 15-year treatment authorization period in close cooperation with LaVA cooperating agencies and the public. Both Appendix A and the modified final environmental impact statement were developed in close partnership with these entities and it stands to reason that their continued involvement during the implementation period will be necessary for project success.

[1] As described in the April 2020 modified final environmental impact statement. Modifications to this alternative are based on public comments received during Scoping, the 45-day comment period for the draft environmental impact statement, as well as modifications resulting from the 30-day project-level pre-decisional administrative review process (April 20, 2019 to May 20, 2019).

My decision responds to epidemic levels of mountain pine beetle and spruce bark beetle infestations that have affected the Medicine Bow National Forest since the mid- to late 1990s. These epidemics have left behind hundreds of thousands of acres of dead trees, dramatically altering the cover type, diversity, and structural stages of forested areas and habitats across the landscape. High tree mortality levels have resulted in significant fuel loading and uncharacteristic wildfire behavior and have moved the forest away from desired conditions outlined in the 2003 revised Medicine Bow National Forest Land and Resource Management Plan (forest plan). My decision also responds to public concerns raised during public engagement opportunities associated with the analysis, including concerns raised during the April 20 – May 20, 2019 LaVA Project objection period.

Project Location

The LaVA Project is in Albany and Carbon Counties, Wyoming. The project area stretches from the Colorado-Wyoming border north across the Snowy Range and Sierra Madre Mountain Ranges from approximately 25 miles west of Laramie, Wyoming to about 25 miles east of Baggs, Wyoming. It encompasses approximately 850,000 acres of National Forest System lands—the entirety of the Snowy Range and Sierra Madre portions of the Medicine Bow National Forest, Brush Creek/Hayden and Laramie Ranger Districts.

Healthy Forests Restoration Act

The LaVA Project is within the boundaries of a designated priority landscape area for treatment of insects and diseases, as defined by the Healthy Forests Restoration Act (H.R. 1904), section 602(d) (see figure 1). Accordingly, the project has been advanced as a hazardous fuel reduction project, as defined by section 101(2) and as authorized by section 102(a)(1-5), of the Act.

Purposes of the Healthy Forests Restoration Act include reducing wildfire risk to communities, municipal water supplies, and other at-risk Federal land through a collaborative process of planning, prioritizing, and implementing hazardous fuel reduction projects; enhancing efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape; and protecting, restoring, and enhancing forest ecosystem components (Healthy Forests Restoration Act, section 2, purposes 1, 3, and 6). Alternative 2, the modified proposed action, meets the intent of the Act.

Section 104(f) of the Act encourages meaningful public participation during preparation of authorized hazardous fuel reduction projects. In keeping with the spirit of the Act, my staff and I have met with LaVA cooperating agencies on a monthly basis since March of 2017 and will continue to meet with these agencies on a regular basis throughout the 15-year project authorization period and beyond. These agencies assisted the Forest Service in hosting numerous public involvement sessions in local communities during project development with the intent of sharing project information and soliciting comments about the proposal. Both the public and cooperating agency personnel helped the Forest Service develop and structure the modified proposed action and the LaVA project analysis. They will continue to be instrumental during LaVA Project implementation.

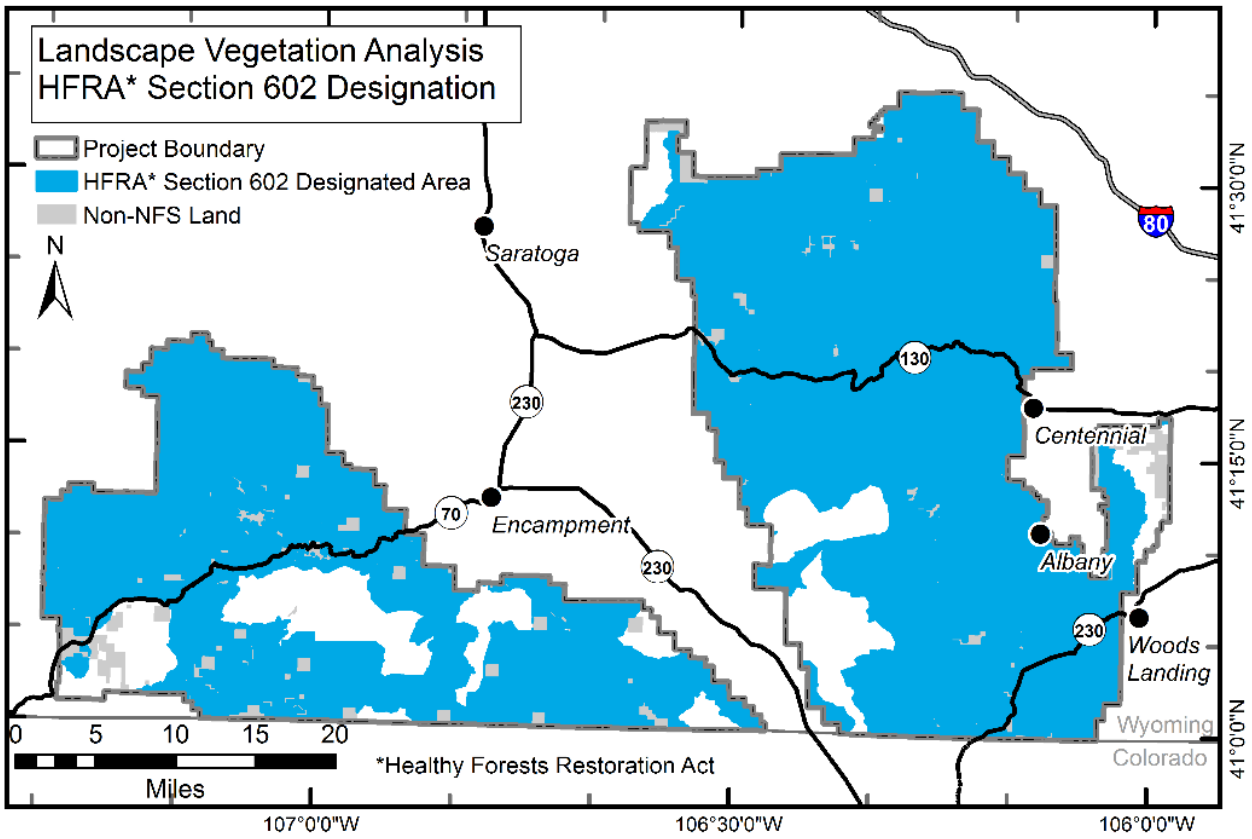

Figure 1. LaVA Project area and the Healthy Forests Restoration Act, section 602, designation area

Purpose of and Need for the Project

The purpose of and need for the LaVA Project did not change as a result of the 2019 objection process. The project is still being proposed to respond to changed forest vegetation conditions caused by the bark beetle epidemics on the Medicine Bow National Forest. The approach is to actively manage forest and shrubland vegetation using mechanical treatments, tree cutting, prescribed burning, or hand treatments consistent with the goals outlined in the Governor's Task Force on Forests (Bannon et al. 2015), the Western Bark Beetle Strategy (USDA Forest Service 2011d), the Wyoming Statewide Forest Resource Strategy (Wyoming State Forestry Division 2010), the Healthy Forests Restoration Act and Farm Bill Amendments (2003 and 2014), and the Medicine Bow National Forest 2003 Land and Resource Management Plan (forest plan). Project needs include mitigating hazardous fuel loads, providing for recovery of forest products, enhancing forest and rangeland resilience to future insect and disease infestations, protecting infrastructure and municipal water supplies, restoring wildlife habitat, enhancing access for forest visitors and permittees, providing for human safety, and providing management adaptability and flexibility in the face of uncertainty and rapidly changing conditions.

Summary of the Decision

Prior to making my decision, I reviewed information from the following sources:

- the LaVA Project purpose and need for action
- information gathered during public involvement sessions and through meetings with cooperating agencies
- issues identified during scoping (40 CFR 1501.7)
- comments received during the 45-day comment period for the draft environmental impact statement
- information from the interagency consultation with the U.S. Fish and Wildlife Service, under section 7 of the Endangered Species Act
- public concerns raised during the 2019 project objection process and related guidance from the Rocky Mountain Regional Office
- the analysis of the alternatives described in the LaVA modified final environmental impact statement and associated project record
- direction from the Medicine Bow forest plan
- current policies and regulations

After careful consideration of the above sources, I have decided to implement **alternative 2, modified proposed action** (modified final environmental impact statement pages 61 through 97). In keeping with this alternative, I am authorizing individual vegetation management treatments on up to 360,000 acres of National Forest System lands within the Sierra Madre and Snowy Range Mountain Ranges of the Medicine Bow National Forest, including treatments that do not involve constructing roads in inventoried roadless areas[2]. Individual treatments will be authorized in pre-established treatment opportunity areas (described below) over a 15-year period beginning in 2020 and ending in 2035. All authorized treatments will be contingent upon Forest Service and cooperating agency priorities, available staffing, and annual funding appropriations. I am adopting Appendix A, the Adaptive Implementation and Monitoring Framework (April 2020) into my decision to guide development, refinement, implementation, and monitoring of individual treatments during the 15-year authorization period. A description of Appendix A is provided below.

Alternative 2, the modified proposed action, has continued to change incrementally throughout the analysis process in response to public comments and coordination with our Regional Office. Initial modifications resulted from the July 2017 scoping effort (40 CFR 1501.7) and include:

- Eliminating 10 miles of proposed, permanent road construction.
- Reducing proposed temporary road construction from 1,000 miles to 600 miles.
- Developing Appendix A, the adaptive implementation and monitoring framework.

Additional modifications were made following the 45-day public comment period (July 7 to August 21, 2018) on the draft environmental impact statement; these modifications were disclosed in the April 2019 final environmental impact statement and are as follows:

- **Redefined Treatment Opportunity Areas:** Treatment opportunity areas[3] were refined to better describe where management actions and treatments will be emphasized during the 15-year treatment authorization period. The treatment opportunity areas include fuels treatment and safety emphasis; forest and rangeland resiliency and forest products emphasis; wildlife emphasis; recreation emphasis; scenic and aspen emphasis; and special emphasis. New maps were developed to depict the treatment opportunity areas and to depict where temporary road construction will be prohibited during project implementation.

[2] In conformance with exceptions in the 2001 Roadless Area Conservation Rule.

[3] Treatment opportunity areas are described on pages 17 through 23 of this draft decision.

- **Wildlife Security Areas in Inventoried Roadless Areas:** Roughly 90 wildlife security area acres, located in the forest and rangeland resiliency and forest products treatment opportunity area in inventoried roadless areas, will be managed for wildlife habitat improvement and/or restoration (24 acres in the Platte River Addition and 66 acres in the Encampment River Addition). The primary benefit of any proposed activity in these areas will be for wildlife habitat improvement rather than for timber production.
- **Sheep Mountain Inventoried Roadless Area and Wildlife Refuge:** Commercial activities are prohibited in the Sheep Mountain Inventoried Roadless Area and Sheep Mountain Federal Game Refuge (20,726 total acres). This area encompasses all of forest plan Management Area 3.54 – special wildlife areas (Sheep Mountain) (16,990 acres); a portion of Management Area 3.58 - crucial deer and elk winter range (2,123 acres); and a portion of Management Area 5.41 - deer and elk winter range (1,613 acres). Noncommercial activities may still be considered in the Sheep Mountain Inventoried Roadless Area and Sheep Mountain Federal Game Refuge only if they improve wildlife habitat, as directed by the forest plan, and are consistent with the 2001 Roadless Rule.

Final modifications to Alternative 2, the modified proposed action, occurred in response to public concerns raised during the 2019 objection process. These modifications, which are described in the April 2020 modified final environmental impact statement, include:

- **Inventoried Roadless Areas:** Alternative 2 was clarified to indicate which portions of Inventoried Roadless Areas would be most likely to receive potential mechanical timber harvest treatments, as opposed to other types of treatments (for example, prescribed burning, hand treatments). This alternative was also clarified to indicate the number of acres of potential treatments, within individual Inventoried Roadless Areas, that fall under various exceptions to the prohibition described in the 2001 Roadless Area Conservation Rule on timber cutting, sale or removal, or that do not require an exception because they are not tree covered (for example mastication treatments in shrublands). Alternative 2 was further clarified to indicate what would be considered “small diameter timber” for the purposes of applicable Roadless Rule exceptions.
- **Temporary Roads:** The total number of miles of proposed temporary road construction was not changed (600 miles). However, a cap of 75 miles of temporary roads being open at one time was included to be responsive to concerns related to too many miles being open at any given time.

Appendix A, the adaptive implementation and monitoring framework, was also modified in response to public concerns following the 2019 objection process. Primary modifications included adding a new section requiring active, annual public engagement as individual vegetative treatments are identified, refined, implemented, and monitored and adding several new attachments designed to ensure compliance with analysis disclosures in the modified final environmental impact statement (April 2020), the Medicine Bow National Forest Plan (2003), and this decision. Adherence to this Appendix A will allow for strategic, integrated resource management that advances the missions of multiple agencies and that is responsive to continually changing conditions. It will also ensure continued public and cooperating agency engagement, which is vital to the success of any landscape-level project, including the LaVA Project.

Specific activities associated with my decision include:

- up to 95,000 acres of stand initiation or even-aged treatments (for example, clearcutting)
- up to 165,000 acres of shelterwood, uneven-aged, or intermediate treatments (for example, group selection)
- up to 100,000 acres of other vegetation treatments (for example, cutting green trees that are diseased, that have reached culmination of mean annual increment, or both; removing conifer encroachment in shrub and grassland areas; masticating vegetation; thinning forested stands; prescribed fire)
- using and reconstructing existing open and closed National Forest System roads to access treatment units
- constructing no more than 600 miles of temporary road to access treatment areas
- Allowing no more than 75 miles of temporary road to open at any given time
- reclaiming temporary roads within three years of individual project completion

During project implementation, treatment acres will be calculated based on the primary treatment objective. For example, if a stand-initiation treatment is conducted and the same unit is burned to initiate regeneration, treated acres will only be counted once, not twice. In this example, the acres treated would count toward the stand-initiation cap.

Other activities included within the total acreage associated with the modified proposed action include slash treatments (for example, lopping and scattering, piling and burning, chipping), noxious weed control, native grass and forb seeding, range improvements, recreation enhancement projects, heritage resource protection projects, fisheries projects, soils projects, watershed improvement projects, wildlife projects, and routine road maintenance.

Inventoried Roadless Areas

The LaVA Project area includes approximately 230,000 acres that are dispersed across 25 inventoried roadless areas (roadless areas). As part of this decision, I am authorizing vegetation treatments (i.e. prescribed fire, hand cutting, mechanical cutting) on up to 123,000 roadless area acres over the 15-year treatment authorization period. Treatments in roadless areas may not involve temporary or permanent road construction or reconstruction. All treatments must be in conformance with the 2001 Roadless Area Conservation Rule (Roadless Rule) and will require additional review by the responsible official prior to implementation. (36 CFR 294.13(b)).

LaVA cooperating agencies identified potential treatments in roadless areas to improve terrestrial and aquatic species habitat and to protect Wyoming State Trust lands, private and State lands, communities at risk, and municipal water supplies that are threatened by uncharacteristic wildfire effects. Forest Service staff identified potential treatment proposals to protect critical infrastructure, including range fences and irrigation ditches. These important needs, coupled with my desire to holistically manage resources across the landscape, helped form my rationale for allowing treatments in roadless areas under the LaVA project. Figure 8 and Figure 9, in Attachment A of this decision document, show the location of structures, Wildland-urban Interface (WUI) areas, County Community at Risk (CAR) areas, water pipelines, and other critical infrastructure in roadless areas that will benefit from active, yet thoughtful, vegetation management.

Appendix A, the Adaptive Implementation and Monitoring Framework, which I have adopted into my decision, includes numerous mechanisms to ensure that proposed treatments do not negatively alter the nine characteristics that define roadless areas.[4] For example, Attachment 1, LaVA Decision-Making Triggers, includes a row requiring review and documentation that the nine roadless area characteristics will not be negatively impacted by treatments; Attachments 4 and 5, LaVA pre- and post-treatment standard operating procedures, require a rigorous review of roadless area proposals; and Attachment 6, the LaVA Monitoring Plan, requires that treatments be monitored to ensure that they do not negatively alter the nine characteristics. Appendix A further requires active public engagement and feedback opportunities for all proposed treatments, including those in roadless areas; a site-specific review of roadless proposals by the responsible official prior to implementation; and that monitoring results be reported to the public in the biennial LaVA Monitoring Report.

The Roadless Rule prohibits timber cutting, sale, or removal in roadless areas unless an exception applies (36 CFR 294). Exceptions for timber cutting, sale, or removal are allowed provided they are used infrequently and are approved by a responsible official (36 CFR 294.13(b)(1)-(4)). Treatments requiring the use of Roadless Rule exceptions under the LaVA Project are expected to be infrequent as compared to all other treatments across the landscape over the 15-year treatment authorization period. Exceptions are only needed for treatments on a maximum of 80,000 acres (forested areas within roadless Treatment Opportunity Areas (TOAs)). This represents 35 percent of the total roadless area acreage within the overall LaVA project area and only 22 percent of the total treatment acreage authorized under the LaVA Project. Additionally, many of these 80,000 acres will be treated using prescribed fire, which—aside from limited incidental tree cutting—will not require a tree cutting exception, thereby reducing the frequency of the use of Roadless Rule exceptions.

Of the 80,000 forested acres in roadless areas, removal, and sale as an integrated treatment is feasible on less than 25,000 acres due to limitations in operable ground (generally slopes less than 40 percent) and skidding distance, on average 1,000 ft (as depicted in Figure 8 and Figure 9 of Attachment A of this document). Table 1 below depicts a summary of inventoried roadless acres along with an overall estimate of the exceptions that may be necessary to accomplish project objectives consistent with the Roadless Rule.

Table 1. Estimated Roadless Treatments and Exceptions

Description	Acres
Total Inventoried Roadless Acres in Project Area	230,000
Acres of vegetation (forested/non-forested) treatment authorized in Roadless	123,000
Acres of exceptions for tree cutting (forested areas within TOAs)	80,000
Areas where sale and removal may occur	25,000

[4] The nine characteristics are listed and described in the modified final environmental impact statement on pages 406-417.

Roadless Rule exception 1.i ("treatments to improve threatened, endangered, proposed, or sensitive species habitat") and exception 1.ii ("treatments to maintain or restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects…") (36 CFR 294.13(b)(1)) apply to "generally small diameter timber." The LaVA Project defines small diameter timber as trees less than seven inches diameter at breast height (DBH). Much of the treatment under exceptions 1.i and 1.ii will involve the removal of small diameter timber, such as removal of conifer encroachment in aspen stands to improve wildlife habitat and removal of understory ladder fuels to reduce the risk of high intensity crown fires. In some instances, larger diameter trees (including dead and down trees) will need to be cut and removed to meet resource objectives (for example, fuels reduction). It is anticipated that most treatments involving the cutting of trees over seven inches DBH will occur in the Wildland-urban Interface and County Community at Risk areas for fuels reduction, public health and safety, and protection of infrastructure.

Attachment A: IRA Tables and Maps

Table 11 in attachment A of this document displays the number of acres, by individual roadless area, that have been identified for treatment under various exceptions to the Roadless Rule, as well as the rationale for treatments. Figure 6 and Figure 7 in Attachment A display areas that have been identified for treatment under various exceptions to the Roadless Rule, as well as treatment areas that do not require tree cutting exceptions because they are not forested.

Road and Access Information

My decision authorizes up to 600 miles of temporary road, as necessary, to provide access to treatment areas and to allow for removal of materials (if removal is part of the treatment). While temporary roads are allowed in most LaVA Project area locations, I am not authorizing temporary road construction in inventoried roadless areas or in forest plan management areas that prohibit this activity. These two situations result in roughly 135,000 acres where temporary road construction is not allowed (see figure 2). Where authorized, temporary roads will be constructed within the constraints of the final record of decision, the pre-implementation checklist, and the implementation checklist, as outlined in Appendix A, attachments 1 and 5, respectively. In response to concerns about temporary road construction, as identified during the 2019 LaVA objection process, no more than 75 of the 600 miles of temporary roads may be open at any given time.

Project Design Features

Project design features were developed for the LaVA Project to reduce or prevent potential undesirable effects resulting from management activities. Project design features are a component of the modified proposed action and are, therefore, a component of my decision. Project design features were developed using guidance from the State of Wyoming best management practices, the Watershed Conservation Practices Handbook, forest plan standards and guidelines, and other environmental protection required by applicable laws, regulations, and policies. The design features include protection for the following resources within the LaVA project area: recreation, amphibians and fisheries, public safety, hydrology and wet areas, rare plant species and sensitive ecosystems, invasive weeds, soils, wildlife, including those protected under the Endangered Species Act, inventoried roadless areas, old growth, scenic resources, infrastructure, rangeland resources, and heritage resources. Project design features are listed in Appendix A, attachment 2.

During the 2019 objection process, several project design features were either strengthened or clarified to be responsive to public concerns. Some of these include modifying language to exclude treatments from habitat and the U.S. Fish and Wildlife Service's designated 'Areas of Influence" for the federally threatened Preble's meadow jumping mouse; clarifying the intent of a soils design feature; and clarifying the intent of a design feature related to treatment implementation near the Continental Divide National Scenic Trail.

Other changes to LaVA Project design, not tied to specific project design features, include providing additional language to ensure vegetation management provides enough habitat for Canada lynx within Lynx Analysis Units and providing additional language to maintain habitat connectivity for lynx across Lynx Analysis Units and linkage areas. These design elements are reflected in Attachment 1 (decision triggers) of Appendix A: Adaptive Implementation and Monitoring Framework.

Treatment Opportunity Areas

Treatment opportunity areas are locations where individual vegetation treatments may be proposed during the adaptive implementation and monitoring phase of my decision. The treatment opportunity areas were established by considering places where vegetation treatments will conform to applicable laws, regulations, policies, forest plan direction, and the project purpose and need. Treatment opportunity areas authorized in my decision total 613,107 acres; treatments will not be authorized on 235,608 acres (848,717 total project area acres). This means that roughly 72 percent of the project area is available for treatment during LaVA project implementation and monitoring and that roughly 28 percent of the area is unavailable for treatment.

Treatment opportunity area acres correspond to forest plan management area direction, special fuels mitigation concern areas along the national forest boundary and around State lands within the national forest boundary, to wildland-urban interface areas as defined by the community wildfire protection plans for Albany and Carbon counties, or to all three situations. The treatment opportunity areas emphasize where different management actions will be prioritized during LaVA project implementation and include fuels treatment and safety emphasis; forest and rangeland resiliency and forest products emphasis; wildlife emphasis; recreation emphasis; scenic and aspen emphasis; and special emphasis areas.

Figure 2 depicts all treatment opportunity areas associated with my decision, with the expectation of the fuels treatment and safety emphasis treatment opportunity area. This treatment opportunity area is depicted on a separate map (figure 3) because it overlays numerous forest plan management areas and areas with special fuels mitigation concerns. Depicting the fuels treatment and safety emphasis treatment opportunity area on a separate map is intended to convey that treatments designed to mitigate public health and safety concerns will take precedence over any underlying treatment opportunity area and forest plan management area designation.

I am authorizing different management tools to be used within the treatment opportunity areas, as depicted in table 22. A full suite of management tools (for example, mechanical equipment, prescribed fire, and hand tools) may be used on 588,510 treatment opportunity area acres and a limited suite of tools may be used on 24,597 treatment opportunity area acres. Treatment opportunity areas where the full and limited suite of tools may be used total 613,107 acres. As identified below, areas where the different suite of tools may be used is based on a variety of factors, including forest plan management area direction.

Table 2. Summary of treatment opportunities (in acres) for the LaVA Project

Analysis Area Acres	No Treatment	Full Suite of Tools	Limited Suite of Tools	Total TOA	Modified Proposed Action	No Temporary Roads*	IRA TOA*
848,717	235,608	588,510	24,597	613,107	360,000	135,000	123,000

TOA = treatment opportunity area; IRA = inventoried roadless area.

*The inventoried roadless area acres and the no temporary road acres are a subset of the total treatment opportunity area acres.

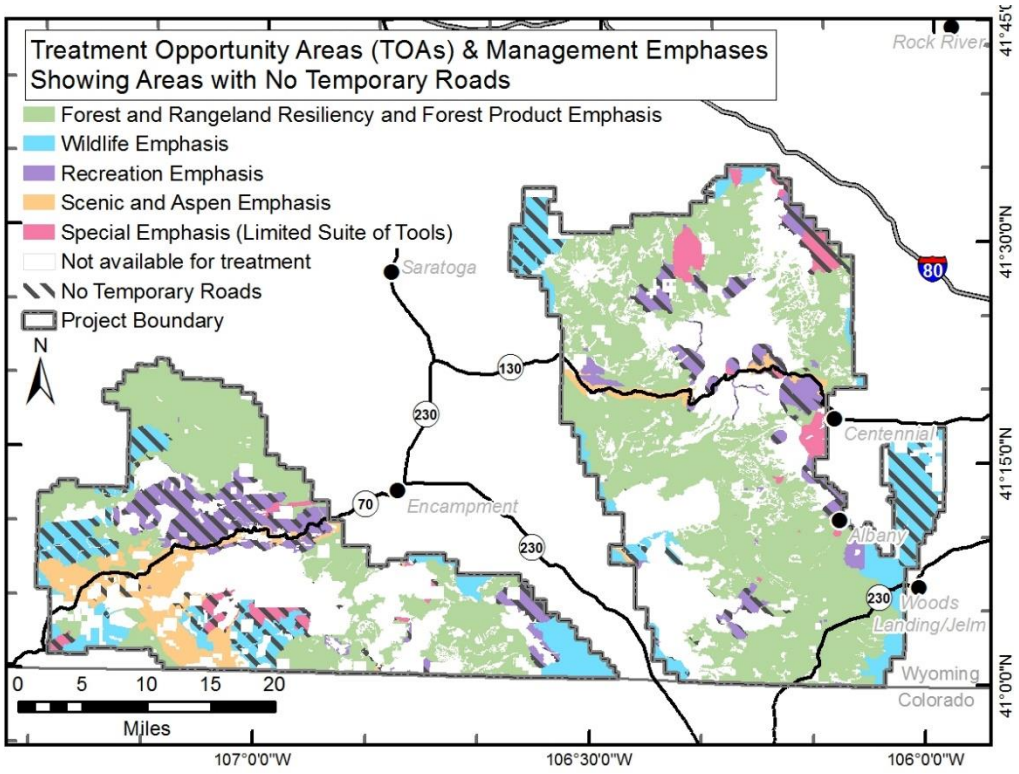

Figure 2. LaVA Project modified proposed action: treatment opportunity areas and management emphases; no temporary road construction areas

The following information outlines the types of primary and secondary management objectives that will be prioritized in each treatment opportunity area authorized by my decision. Each treatment opportunity area discussion includes a table summarizing, by forest plan management area, the acres available for treatment, the types of management tools available, acres where no treatments will be proposed, as well as acres where temporary road construction is prohibited by my decision.

Fuels Treatment and Safety Emphasis Treatment Opportunity Areas

The fuels treatment and safety emphasis treatment opportunity areas correspond to forest plan Management Areas 7.1 Residential/Forest interface[5] and 8.6 Administrative Sites. They also correspond to special fuels mitigation concern areas along the national forest boundary and around State lands within the forest boundary and to wildland-urban interface areas, as defined by the community wildfire protection plans for Albany and Carbon counties. These treatment opportunity areas cover a large land base (see figure 3) and overlay many forest plan management areas and other treatment opportunity areas.

Management actions to protect public health and safety will be prioritized in this treatment opportunity area. As previously mentioned, these treatments may not always align with the underlying management area direction but may be necessary in emergency situations. My staff and I will assess these situations on a case-by-case basis, as they arise, and will follow treatment guidelines outlined in Appendix A: Adaptive Implementation and Monitoring Framework when determining the need for action. The full suite of tools (for example, mechanical equipment, prescribed fire, hand tools) is available to meet objectives for individual projects in most areas.

[5] Management area 7.1 is defined by a point on a map and does not have acres assigned.

Table 3. Acres of treatment and no treatment by management area in the fuels treatment and safety treatment opportunity area*

Management Area	Full Suite of Tools Available	No Treatment	Total Acres	No Temporary Roads
8.6	775	0	775	38

*As identified above, this treatment opportunity area covers a large land base and overlays many forest plan management areas. The acreage depicted in this table corresponds to the one forest plan management area that can be quantified.

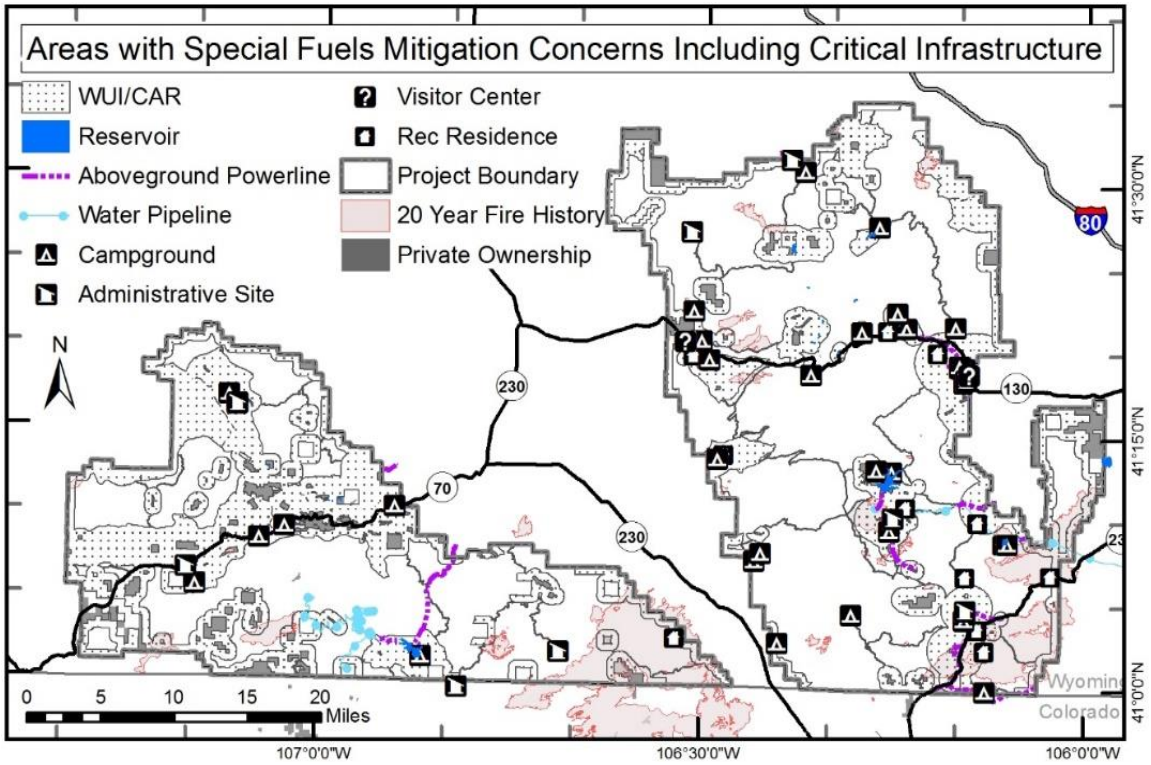

Figure 3. Modified proposed action: fuels treatment and safety emphasis treatment opportunity area

Forest and Rangeland Resiliency and Forest Products Treatment Opportunity Areas

My decision authorizes 372,680 acres of the forest and rangeland resiliency and forest products treatment opportunity areas, as shown in table 44. The primary treatment objectives in these areas (figure 2) include, but are not limited to, providing for recovery of forest products, enhancing forest and rangeland resiliency to future insect and disease infestations, and improving wildlife and rangeland habitat. Secondary objectives include, but are not limited to, fuels reduction, protection of infrastructure, and hazard tree treatments.

Table 4. Acres of treatment and no treatment by management area in the forest and rangeland resiliency and forest products treatment opportunity area

Management Area	Full Suite of Tools** Available	No Treatment	Total Acres	No Temporary Roads
5.12	18,225	446	18,671	0
5.13	130,066	1,982	132,047	364
5.15	224,389	57,449	281,838	3,814
Total acres	**372,680**	**59,887**	**432,556**	**4,178**

**The full suite of tools means treatment with mechanical equipment, prescribed fire, and hand tools.

Wildlife Emphasis Treatment Opportunity Areas

My decision authorizes 102,884 acres of the wildlife emphasis treatment opportunity areas, as shown in table 55. The primary treatment objectives for these areas (figure 2) include, but are not limited to, maintaining, improving, or restoring habitat conditions such as forage, cover, breeding areas, or security areas for a variety of wildlife species; promoting habitat maintenance, improvement, or restoration for plant communities. Secondary objectives include, but are not limited to, fuels reduction, protection of infrastructure, hazard tree removal, and commercial timber production, except for in the Sheep Mountain Inventoried Roadless Area and Sheep Mountain Federal Game Refuge where commercial timber production is not allowed.

Table 5. Acres of treatment and no treatment by management area in the wildlife emphasis treatment opportunity area

Forest Plan Management Area	Full Suite of Tools	No Treatment	Total Acres	No Temporary Roads
3.5 Forested flora or fauna habitat, limited snowmobiling	26,348	4,252	30,599	20,527
3.54 Special Wildlife Areas (Sheep Mountain	16,948	42	16,990	16,947
3.58 Crucial deer and elk winter range*	52,824	1,568	54,392	11,431
5.41 Deer and elk winter range*	6,764	1,887	8,650	4,129
Total acres	**102,884**	**7,749**	**110,633**	**53,034**

*Wildlife Security Areas within these Management areas may be treated with the Limited suite of tools.

All treatment opportunity areas, including the wildlife emphasis treatment opportunity area, include wildlife security area acres, as shown in 6. Wildlife security areas are blocks of hiding cover greater than 250 acres in size that are over ½ mile from any roads or motorized trails that are open to motorized use (forest plan page 1-40). My decision authorizes up to 49,599 acres of vegetation treatments using a full suite of tools and up to 6,525 acres of vegetative treatments using a limited suite of tools, for a total of up to 56,124 acres of treatments in wildlife security areas. While the forest plan contains guidelines to maintain and promote wildlife security areas, I recognize there may be certain instances where treatments are needed during the 15-year treatment authorization period to reduce conifers in aspen, regenerate old aspen stands, regenerate dead lodgepole stands lacking understory productivity, reduce juniper expansion in shrublands, create age class mosaics in large expanses of continuous shrublands consistent with sage-grouse habitat management, or to advance other resource objectives. Where proposed treatments and wildlife security areas overlap, every effort will be made to meet forest plan direction for the management area in which the treatment is proposed while meeting guidelines regarding wildlife security areas. A LaVA decision trigger also limits removal of security areas to no more than 30 percent of the treatment opportunity areas within an accounting unit. As required by this decision, any deviations from forest plan guidelines will be addressed, documented, and disclosed during the design of individual treatments, in accordance with Appendix A, the adaptive implementation and monitoring framework.

Table 6. Wildlife security area information*

Forest Plan Management Areas	Limited Suite of Tools*	Full Suite of Tools*	No Treatment	Total Acres	No Temporary Roads
Wildlife security areas	6,525	49,599	130,722	186,846	31,869

* These acres are a subset of the total treatment opportunity area acres (613,107)

Recreation Emphasis Treatment Opportunity Areas

My decision authorizes 70,668 acres of the recreation emphasis treatment opportunity areas, as shown in 7. The primary treatment objectives in these areas (figure 2) include, but are not limited to, providing for motorized and non-motorized recreation opportunities, in conformance with the forest plan, providing recreation opportunities in highly developed recreation complexes in a forested environment, and providing for downhill skiing and other motorized and non-motorized winter sports opportunities. To meet these primary objectives, treatments will be designed to protect infrastructure, enhance access for forest visitors and permittees, and provide for human safety. Secondary objectives include, but are not limited to, fuels reduction, protection of municipal water supply, and restoration of wildlife habitat.

Table 7. Acres of treatment and no treatment by management area in the recreation emphasis treatment opportunity area

Forest Plan Management Area	Full Suite of Tools	No Treatment	Total Acres	No Temporary Roads
1.31 Backcountry recreation year-round nonmotorized	12,281	15,243	27,524	12,281
1.33 Backcountry recreation, summer nonmotorized with winter snowmobiling	10,898	27,643	38,541	10,898
3.31 Backcountry recreation year-round motorized	37,186	17,838	55,024	37,186
3.33 Backcountry recreation summer motorized with winter non-motorized	3,820	8	3,828	0
4.3 Dispersed recreation	2,072	0	2,072	0
8.21 Developed recreation	3,047	832	3,879	40
8.22 Ski-based resort, existing, and potential	1,364	0	1,364	0
Total acres	**70,668**	**61,564**	**132,232**	**60,405**

Scenery and Aspen Emphasis Treatment Opportunity Areas

My decision authorizes 41,505 acres of the scenery and aspen emphasis treatment opportunity areas, as shown in table 88. The primary treatment objectives in these areas (figure 2) include, but are not limited to, protecting and perpetuating scenic river corridors, managing for scenic values along scenic travel corridors, and developing a range of successional stages in aspen stands. To meet these primary objectives, treatments will be designed to enhance wildlife habitat, promote aspen regeneration, enhance visual quality along scenic byways by removing hazard trees, and enhance forest and rangeland resiliency to future insect and disease infestations. Secondary objectives include, but are not limited to, fuels reduction treatments, protection of infrastructure, enhanced access for forest visitors and permittees, and protection of municipal water supplies.

Table 8. Acres of treatment and no treatment by management area in the scenic and aspen emphasis treatment opportunity area

Forest Plan Management Area	Full Suite of Tools	No Treatment	Total Acres	No Temporary Roads
3.4 National River System scenic river designated and eligible	992	293	1,285	992
3.56 Aspen maintenance and enhancement	25,932	4,348	30,280	2,794
4.2 Scenery	14,581	283	14,864	0
Total acres	**41,505**	**4,924**	**46,429**	**3,786**

Special Emphasis Treatment Opportunity Areas

My decision authorizes 24,597 acres of the special emphasis treatment opportunity areas, as shown in 9, using a limited suite of tools. The primary treatment objectives in these areas (figure 2) include, but are not limited to, protecting the intrinsic values associated with these special areas. That is, treatments will only be proposed if tree mortality from the beetle epidemics and other forest health issues is detracting from the purposes for which the areas were designated (such as research, botanical values, and zoological values). Secondary objectives include, but are not limited to, fuels reduction treatments, wildlife enhancement projects, protection of infrastructure, and protection of municipal water supplies.

Table 9. Acres of treatment and no treatment by management area in the special emphasis treatment opportunity area

Forest Plan Management Area	Limited Suite of Tools*	No Treatment	Total Acres	No Temporary Roads
1.2 Recommended for Wilderness	12,320	15,653	27,974	12,320
2.1 Special Interest Areas	10,627	5,992	16,619	0
2.2 Research Natural Areas	1,650	760	2,410	1,650
Total acres	**24,597**	**22,405**	**47,003**	**13,970**

*Limited suite of tools allows for prescribed fire and hand tools only.

Areas Unavailable for Treatment

My decision also includes 235,608 acres that are unavailable for treatment (table 1010, figure 4). These acres fall in wilderness areas (Management Area 1.13), some inventoried roadless areas, or they have been identified as mapped and inventoried old-growth acres in forest plan Management Area 5.15.

The forest plan prohibits timber management in designated wilderness areas while the Healthy Forests Restoration Act prohibits all vegetation management practices in these areas (78,910 acres). The forest plan also prohibits vegetation management practices in mapped and inventoried old growth areas located in Management Area 5.15, Ecological Restoration (57,449 acres). The remaining 99,249 acres were removed from treatment opportunity areas because they are in inventoried roadless areas and neither LaVA cooperating agency personnel nor Forest Service staff identified the need for treatment in these areas.

Table 10. Acres unavailable for treatment in wilderness areas, old growth areas in Management Area 5.15, and inventoried roadless areas

Areas Unavailable for Treatment	Total	No Treatment
Management Area 1.13 Wilderness	78,910	78,910
Old growth in Management Area 5.15*	103,814	57,449
Inventoried roadless areas	230,222	99,249
Total acres	**412,946**	**235,608**

*The LaVA Project includes a total of 103,814 old growth acres in Management Area 5.15. Roughly 52,000 of these acres were already excluded from treatment because they are in inventoried roadless areas where treatment proposals were not advanced by the Forest Service or cooperating agency personnel.

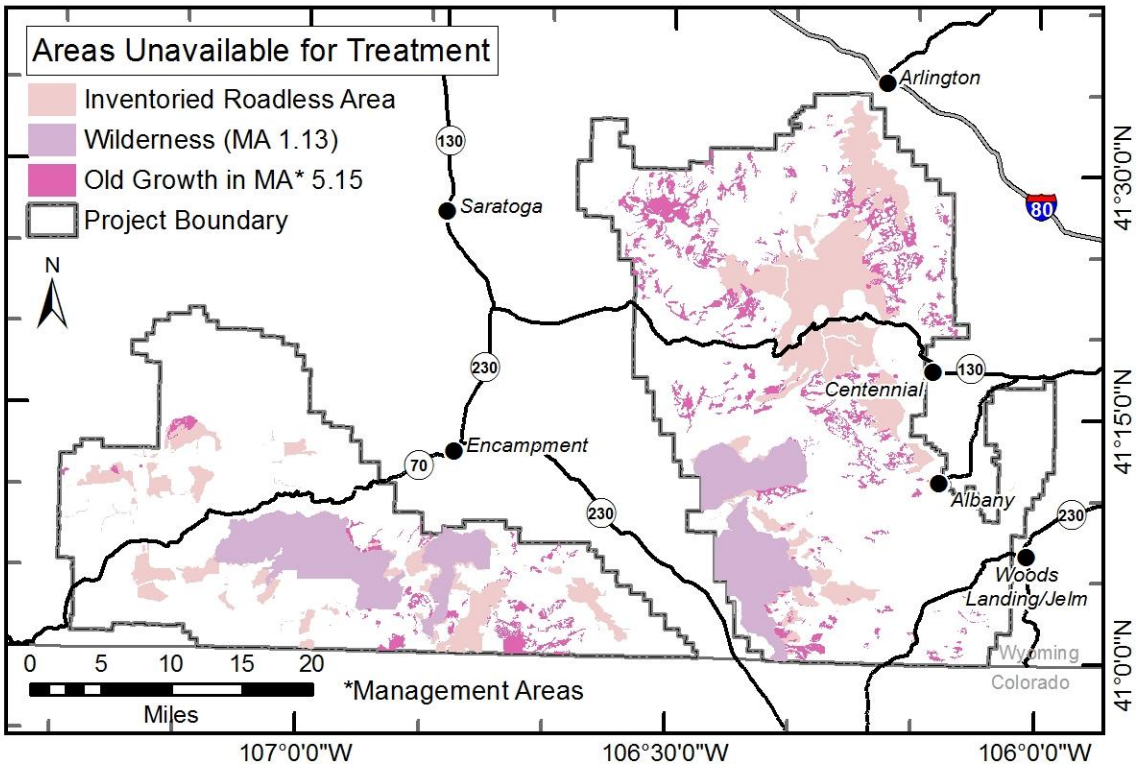

Figure 4. Areas unavailable for treatment

Appendix A: Adaptive Implementation and Monitoring Framework

I am adopting Appendix A of the LaVA Project modified final environmental impact statement, the Adaptive Implementation and Monitoring Framework, into my decision to guide individual project development during the 15-year project authorization period.

Appendix A outlines a five-phase, cyclic process for engaging cooperating agencies and the public when identifying, refining, implementing, and monitoring individual vegetation treatments, as follows:

1. **Focus Area Phase:** This phase involves identifying focus areas, or large areas, such as a watersheds or communities-at-risk, where individual treatments will be identified for implementation. This phase requires working with cooperating agencies to focus limited resources in areas where multiple resource benefits can be realized through vegetation manipulation (for example, prescribed fire, timber harvest, thinning).
2. **Individual Treatments:** This phase provides an opportunity for the public and cooperating agencies to identify and refine individual, site-specific treatment proposals within Focus Area boundaries.
3. **Field Validation Phase:** This phase involves field reviewing and further refining individual, site-specific treatment proposals before they are implemented. This phase also allows the public and cooperating agencies to provide detailed, site-specific feedback of individual treatment proposals.
4. **Review Phase**: This phase provides an opportunity for cooperating agencies and the Forest Service to ensure consistency with the LaVA Project modified final environmental impact statement and record of decision and to ensure all resource concerns have been addressed before the project is implemented.
5. **Reporting Phase:** This phase is designed to learn from project implementation and to adapt future projects to better meet LaVA Project objectives.

Appendix A also includes the following outputs and elements that will be utilized or produced at appropriate phases of project implementation:

Outputs

These are documents that will be produced and made available to the public.

- **Pre-treatment and treatment implementation checklists:** These checklists would be completed at appropriate phases of project implementation to ensure treatments remain within the constraints of the LaVA Project environmental impact statement and record of decision and to ensure treatment caps are not exceeded over the life of the project. The checklists are in Appendix A as outputs 1 and 2, respectively.
- **Treatment Tracking Tables:** This is series of tables that will used for quantitatively tracking the implementation of treatments. These tables will be shared on the LaVA Project NEPA website annually. These tables track treatment acres by type, cumulative watershed effects by HUC7 watersheds, acres treated in each LAU, treatments in inventoried roadless areas, and temporary road miles. The group of tracking tables is referred to as output 3.
- **Monitoring Plan Report:** A bi-annual monitoring report will be produced and shared with the public on the LaVA Project NEPA website. Appendix A, Output 4 is the Monitoring Report Outline which includes all of the elements that are listed in Appendix A monitoring plan (attachment 6).

Elements

These are documents (attachments) that guide the treatment design and are used to produce the outputs.

- **Decision-making triggers for adaptive implementation**: Decision-making triggers for LaVA project implementation were developed and incorporated into Appendix A, attachment 1. The decision-making triggers incorporate yellow and red-light triggers and correspond to the issue tables discussed in chapter 1 in the "Issue Development and Resolution" section. Yellow-light triggers indicate a resource has the potential to be negatively impacted by treatment proposals, demonstrating the need for more rigorous project design features, a change in management approach, or slowing the pace of implementation. Red-light triggers correspond with a legal standard or project standard that cannot be exceeded. Red-light triggers demonstrate a need to either discontinue treatment proposals or to consider other treatment options. Triggers are commitments in an adaptive management plan that specify actions to be taken and the timing of those actions based on pre-treatment field reviews and monitoring. Triggers improve certainty that particular actions would be taken in the future.
- **Project design features**: Project design features are methods to minimize harm to resources such as recreation, amphibians and fisheries, public safety, hydrology and wet areas, rare plant species and sensitive ecosystems, invasive weeds, soils, wildlife, inventoried roadless areas, old growth, scenic resources, infrastructure, rangeland resources, and heritage resources. Design features would also include best management practices for constructing and locating temporary roads, landings, skid trails, and any project activities within and surrounding riparian areas, wetland areas, or both. Site-specific design features would be applied when required field surveys or management activities demonstrate a need to implement them. Project design features are outlined in Appendix A, attachment 2.
- **Vegetation treatment options**: Site-specific prescriptions would be selected from the vegetation treatment options tables outlined above, based on the current conditions found in the project area, site-specific project objectives, and feedback from cooperating agency personnel and the public. Examples include wildland-urban interface and fuels reduction treatments to protect communities, wildlife habitat restoration treatments to improve habitat, timber harvest or thinning treatments to provide resilience, among others. Vegetation treatment option tables are in attachment 3 of Appendix A.

- **Pre-treatment SOPs:** The pre-treatment SOPs are the standard operating procedures each resource area is to complete prior to implementation. The Pre-treatment SOPs are attachment 4 of Appendix A and are to be completed by each resource that is affected by the proposed treatment, completion of the pre-treatment SOPs is documented on Output 2: Treatment Implementation Checklist.
- **Post-treatment SOPs:** The post-treatment SOPs are the standard operating procedures that a few resource areas complete after implementation has been completed. The Post-treatment SOPs are attachment 5 of Appendix A.
- **LaVA monitoring plan:** Select resource conditions would be monitored over the life of the LaVA Project to ensure compliance with applicable laws, regulations, and policies; the Medicine Bow forest plan; and the LaVA final environmental impact statement and record of decision. The monitoring plan is attachment 6 of Appendix A.
- **Applicable Forest Plan Standards and Guidelines:** This attachment (Attachment 7) contains the applicable Forest Plan Standards and Guidelines, which have also been given a shorthand code that is referenced in many of the Appendix A documents. This attachment includes a table at the beginning of each of the sections (Forestwide, Management Area, and Geographic Area) that displays what stage of the treatment the Standard or Guideline applies to (e.g. planning, contract, project design, etc.) to help project planners and implementers assure compliance with the Forest Plan.
- **Comparative Analysis:** This attachment (Attachment 8) is a summary of the differences between LaVA Appendix A and a HFRA insect and disease categorical exclusion project. As part of the recommendations from the objection process review, a comparison of a completed categorical exclusion and Appendix A was suggested, Fox Creek Vegetation Management Project was the selected project.

Appendix A requires that the public and cooperating agencies be actively involved in Phases 1, 2, and 4 of treatment development, implementation, and monitoring, as described above. As part of the LaVA Project development that has occurred with cooperating agencies, phases 1, 2, and 3 have already taken place for a few treatments planned for implementation in 2020, as depicted below. These treatments were developed due to project delays, based on cooperator input, and to meet required timber targets. However, beginning in late 2020 or early 2021, phases 1 and 2 will be instrumental for developing treatments for 2021 and beyond. Continued participation from cooperating agencies and the public will help determine where treatments are planned as well as what the treatment emphases are.

A diagram of where the first projects are in the adaptive implementation and monitoring cycle is displayed as Figure 5 below.

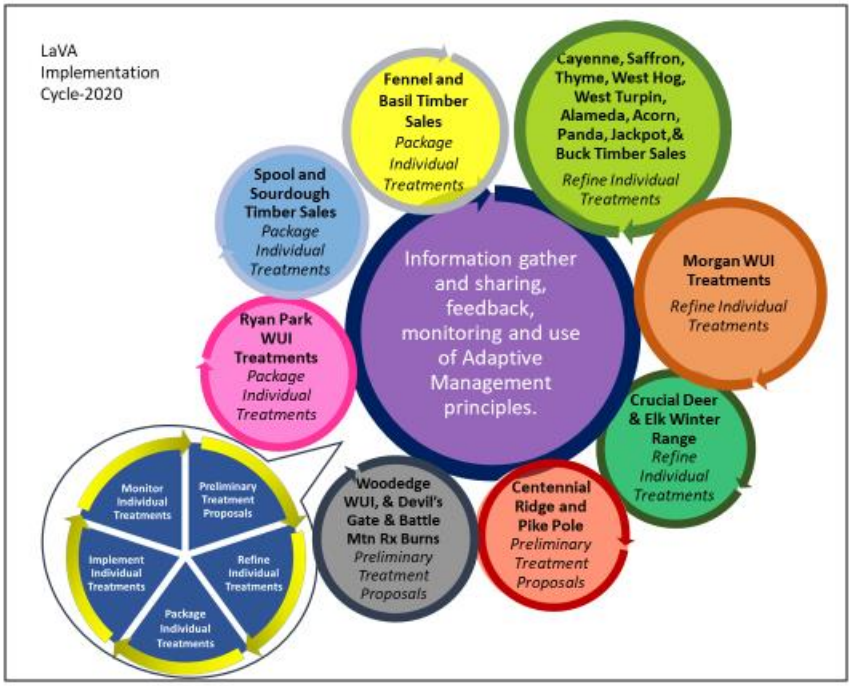

Figure 5. LaVA Implementation Cycle - 2020

While only briefly mentioned in Appendix A, the story map will be instrumental for understanding the status of all stages of the LaVA Project for all involved. The map provides an opportunity for viewing the current status of the LaVA Project, submitting feedback for planned projects and future focus areas.

Supplemental Information Reports

Forest Service policies for implementing regulations under the National Environmental Policy Act outline procedures for reviewing actions when new information or changes occur and should be considered for correction, supplementation, or revision (Forest Service Handbook 1909.15, section 18).

I recognize that ground conditions and analysis assumptions may change over the 15-year treatment authorization period for the LaVA Project. I also recognize that substantive changes in conditions may require completion of a supplemental information report under the National Environmental Policy Act to determine if the changed conditions are within the scope of the LaVA Project modified final environmental impact statement, this decision, and the Forest Plan. If changed conditions occur during LaVA Project implementation, and they are outside of the existing analysis, my staff will be directed to develop a supplemental information report to document whether a correction, supplement, or revision to the modified final environmental impact statement is needed. The feedback loops described in Appendix A will allow us to quickly respond to changing conditions, lessons learned, and public and cooperator feedback. The results of the biennial monitoring review, as required by Appendix A, will be important when determining the need for a sufficiency review. All supplemental information reports will be developed in cooperation with LaVA cooperating agencies and the public and will be filed on the LaVA Project Website[6].

[6] LaVA has two websites, each serving its own purpose. To ensure all information is available regardless of which site is visited, both sites will list the link to the other page. The LaVA Project Website will hold announcements, the story map link, pictures, videos, etc., while the LaVA NEPA Project Website will hold all environmental documents.
LaVA Project Implementation Website address: https://www.fs.usda.gov/detail/mbr/landmanagement/?cid=FSEPRD572816

Decision Rationale

My decision to implement **alternative 2, the modified proposed action,** represents an attempt to balance all interests, to consider all environmental factors, and to establish a reasonable plan for responding to the multiple objectives identified in the purpose and need for the proposal.

Important considerations that influenced my decision included how well it responded to (1) the stated purpose and need for the proposal and (2) responsiveness to public comments. When considering public comments, I evaluated (a) recommendations from the LaVA cooperating agencies, (b) issues raised during scoping (40 CFR 1501.7), (c) comments received from the public during the 45-day formal comment period for the draft environmental impact statement and (d) concerns raised in the objection letters received during the 2019 LaVA objection process. While it is impossible to please all interests, this is my best effort to most reasonably balance the needs of forest users and partners while meeting the purpose and needs of the project and remaining consistent with our mandates under law, regulation, and policy for managing the Medicine Bow National Forest.

Response to Stated Purpose and Need for the Proposal

Based on forest plan direction and a comparison of the analysis area's existing versus its desired condition, Forest Service personnel identified project-specific resource needs for the LaVA Project. The information provided in the "Comparison of Alternatives" sections under each purpose and need statement below provides my rationale regarding why I believe my decision to select alternative 2 meets the purpose and need better than the no-action alternative, as analyzed in the LaVA Project modified final environmental impact statement.

Purpose: Mitigate hazardous fuel loading

Need: Treat hazardous fuels to comply with forest plan subgoal 1.c, objective 2. Treat hazardous fuels to reduce fire behavior and the possibility of fires spreading onto lands outside of the forest boundary.

Rationale for Decision: As a result of the recent bark beetle epidemics, surface and ladder fuel loading conditions have increased substantially causing dominant fuel models to transition from light dead and down fuels to moderate dead and down fuels. The recent Beaver Creek, Broadway, Snake, Keystone, and Ryan wildfires emphasized the risk to communities and wildland firefighters in beetle-killed conifer stands. These recent wildfires presented behavior with increased rates of spread and fireline intensity, which decreased the range of fire suppression tools and increased the risk of a large scale, long duration wildfire scenario.

Protecting the safety of our firefighters, all other national forest staff, and the community is my highest priority. Implementation of the modified proposed action will move the treated areas, including the Albany and Carbon County communities at risk priority areas, toward a dominant fuel model of slash blowdown fuel type model 1 (SB1) which will consist of light dead and down fuels. The reduction of hazardous fuels in these areas will not only minimize the potential for large, high-intensity and high-severity wildfires but also reduce fire behavior and the possibility of fires spreading onto adjacent lands of other ownership. The modified proposed action will move fuel conditions toward desired conditions and objectives within the 2003 revised forest plan and fire management plan as well as the community wildfire protection plans of Albany and Carbon Counties.

LaVA Project NEPA page: https://www.fs.usda.gov/project/?project=51255

It is important to acknowledge the role that wildfire has played and will continue to play within the project area. Mixed-severity wildfire is a natural process associated with the vegetation types found within the LaVA project area. My decision underscores the advantages of breaking up large expanses of fuels and presents the best opportunity to treat fuels with a strategic design. These designs will give firefighters tactical advantages in many situations and provide less risk to threats from large areas of hazardous fuels, while also providing more opportunities to proactively manage fire on the landscape. This project does not aspire to prevent wildfire. Rather, it is designed to provide better options for fire managers so that the likelihood of extremely large, high severity, long-duration fires that can impact the wildland-urban interface, infrastructure, public safety, and adjacent lands is reduced.

Comparison of Alternatives: Under the no-action alternative, fuels management, including prescribed fire and fuels treatments, would likely continue at levels like those that have occurred over the past 15 years. Prescribed fire is expected to occur at an average treatment area of 1,000 acres per year, and mechanical fuels treatments are expected to occur at average treatment area of 2,017 acres per year. With no additional prescribed burning or mechanical fuels treatments beyond the 15-year average treatments, the no-action alternative would not address the need of the LaVA project as well as the modified proposed action. The modified proposed action best meets the purpose and need by treating high-hazard fuels and reducing the risk of large-scale wildfire in areas of suitable timber production while also reducing risk to community structures at a scale commensurate with the landscape conditions.

Purpose: Provide for recovery of forest products

Need: Promote vegetation management to recover merchantable products. Provide commercial forest products to local industries at a level commensurate with forest plan direction and goals.

Rationale for Decision: The existing condition of post-epidemic tree mortality has moved forested vegetation away from the desired conditions of the suitable timber base. The modified proposed action will provide for recovery of forest products and support future regeneration of merchantable tree species, in conformance with standards and guidelines for Management Areas 5.12 General Forest and Rangeland, Rangeland Vegetation Emphasis, 5.13 Forest Products, and 5.15 Forest Products, Ecological Maintenance and Restoration.

Some members of the public are concerned that my decision will interfere with natural successional processes. I have acknowledged the environmental trade-offs of my decision, and by design, the project will affect ongoing successional processes in the acreages we treat. Yet, in accordance with the Multiple-Use Sustained Yield Act of 1960, the Organic Act of 1897, the National Forest Management Act of 1976, and many other laws and policies, the Forest Service is directed to *actively* manage National Forest System lands where appropriate and feasible to do so. In the context of landscape-scale change, I am confident our active management capacity needs to be targeted to those priority areas where multiple management objectives can be achieved at the human (infrastructure) scale, stand scale, watershed scale, landscape scale, or a combination of these scales.

Comparison of Alternatives: The modified proposed action meets the purpose and need by returning the post-epidemic project area to levels of timber production that contribute to the allowable sale quantity as required under forest plan standards for Management Areas 5.12, 5.13, and 5.15. Under the no-action alternative, the existing 15-year average timber harvest of 1,352 acres per year, would not meet the need of recovering forest products before decomposition of the standing dead and diseased trees occurs. Under the modified proposed action, treatment opportunity areas target conifer stands that have been affected by tree mortality from the recent bark beetle epidemics. More than half the proposed treatment opportunity areas (372,590 acres) are within the suitable timber base (Management Areas 5.12, 5.13, and 5.15).

With the lower merchantability of mixed-conifer species (spruce/fir), the forest plan direction in Management Areas 5.13 and 5.15 is to provide lodgepole pine regeneration as the predominant cover type in future stand composition. The post-epidemic lodgepole stands, left untreated, would allow the continued regeneration of mixed conifer, which would reduce the merchantability within the suitable timber base. The modified proposed action will move toward desired conditions in the forest plan while providing merchantable products to support local economic activity.

Purpose: Enhance forest and rangeland resiliency to future insect and disease infestations

Need: Increase age class, structural, and vegetation diversity across the landscape. Promote forest and rangeland conditions to improve forage and wildlife habitat. Actively accelerate recovery and regeneration of forest ecosystems.

Rationale for Decision: To promote forest health consistent with the Medicine Bow forest plan, the Healthy Forests Restoration Act, and other laws and regulations, vegetation treatments are needed to improve stand growth, vigor, and resiliency. Diversification of age classes within conifer stands provides resilience and reduces risk for future epidemic outbreaks of bark beetle. Forested stands harvested or thinned between 1970 and 1990 have been resilient to the bark beetle infestations that began in the late 1990s. Resiliency can be achieved by moving forested vegetation toward forest plan desired conditions for structural stage, age class, and cover type. Treating vegetation to increase resiliency to future insect and disease epidemics meets the need to promote healthy rangeland conditions because livestock are unable to access available forage in heavy fuel conditions.

Comparison of Alternatives: Future insect and disease infestation could occur under either alternative. However, implementation of the modified proposed action will reduce the risk of widespread outbreaks. With no additional vegetation or salvage treatments beyond the 15-year average treatment area of 1,352 acres per year, the no-action alternative would not address the need for resiliency. With an existing condition of 496,016 acres of canopy change from dead and dying trees and 107,017 acres of tree mortality within the treatment opportunity areas, the modified proposed action best addresses this purpose and need by creating resiliency through increasing age class and structural and vegetative diversity using a variety of vegetation treatment options. Under the no-action alternative, conifer stands with high mortality and minimal regeneration or seed sources may not recover their cover type component in the longer term.

Purpose: Protect infrastructure and municipal water supplies.

Need: Treat vegetation where high levels of tree mortality exist adjacent to infrastructure and municipal water supplies.

Rationale for Decision: Heavy fuels have accumulated in conifer stands, posing a risk of severe wildfire to communities, infrastructure, and municipal watersheds. Treatments authorized under the modified proposed action will reduce the risk of large-scale wildfire events and subsequent runoff that could deliver heavy sedimentation loads into the municipal supplies. These treatments will meet the forest plan desired conditions for watershed protection and water yield (USDA Forest Service 2003a, page 1-19).

Comparison of Alternatives: With the continuation of the existing condition of hazardous fuels from the bark beetle epidemics, implementation of the no-action alternative would not meet this need. Fuel buildup and heavy fuel loading will continue to worsen over time, creating a landscape with a higher risk of large-scale wildfire. Levels of past fuels treatments on the forest have not been sufficient to prevent large-scale wildfires. The modified proposed action best addresses this need due to the amount of fuels reduction through fuels and vegetation treatments that decrease the risk of large-scale wildfire events and subsequent runoff that would deliver heavy sedimentation loads into municipal watersheds impairing filtration systems.

Purpose: Restore wildlife habitat

Need: Treat vegetation to restore priority areas of wildlife habitat.

Rationale for Decision: In the wildlife emphasis treatment opportunity areas, vegetation treatments will maintain or improve habitat and available forage for some wildlife. Changes in tree cover will be designed so new stands provide good-quality cover consistent with site capability while also providing resistance to future beetle epidemics. Treatments may more effectively create fuel transition areas to assist in fire containment on fires that show a resistance to control, thus potentially avoiding undesirable reductions of live conifer or mature shrubland wildlife habitat. The Wyoming Game and Fish Department has been an important partner in developing the LaVA Project, and the adaptive implementation and monitoring framework (Appendix A) provides ongoing opportunities throughout project implementation for the Wyoming Game and Fish Department personnel to help identify treatments to improve wildlife habitat.

There are several habitat improvement opportunities for terrestrial wildlife. Rocky mountain juniper has increased in density beyond what is naturally expected in several upland shrub areas. Removal of some junipers will increase understory productivity and provide growing sites for more palatable sagebrush or mountain shrubs. Vegetation management will remove older aged, less nutritious and less productive mountain shrublands, including gambel oak, serviceberry, and mountain mahogany. Vegetation management in older, less productive sagebrush stands till provide similar benefits while following guidance in the Greater Sage-grouse amendment. Many aspen stands in the project area are in old age classes or have a considerable conifer component. Vegetation management will improve forage productivity within the stand, maintain these stands longer, or provide a greater diversity of aspen age classes. Lodgepole pine stands with high tree mortality and a limited understory provide very reduced habitat quality to many terrestrial wildlife. Regeneration of these stands will provide improved habitat quality in the future.

Comparison of Alternatives: With only 124 acres of prescribed fire and mechanical treatment per year over the last 15 years specifically designed for wildlife and watershed restoration, the no-action alternative does not effectively address the purpose of promoting forest and rangeland conditions to improve wildlife habitat. Under the modified proposed action, I recognize that there will be short-term effects on wildlife habitat and that forest plan wildlife security guidelines may not be met in all cases. However, Forest Plan standards are in place to provide snags, recruitment trees, and coarse woody debris in most areas and wildlife habitat quality will improve for some wildlife, in general, over the mid- to long-term as new stands regenerate. The modified proposed action will conserve wildlife habitat with increased resilience to insect and disease epidemics. Treatments will more effectively create fuel transition areas to assist in fire containment on fires that show a resistance to control, thus potentially avoiding undesirable reductions of live conifer or mature shrubland wildlife habitat. Priority areas of wildlife habitat will be identified in partnership with Wyoming Game and Fish Department for treatments.

Purpose: Enhance access for forest visitors and permittees

Need: Treat hazard trees in areas not covered by the forestwide hazard tree decision notice (August 12, 2008) (for example, trails).

Rationale for Decision: The large number of dead and dying overhead hazard trees and significant downed trees from the bark beetle epidemics have created conditions that are not consistent with desired conditions for dispersed and developed recreation. These conditions decrease recreation access and satisfaction for hunting and other recreation activities. The modified proposed action will move the project area toward forestwide desired conditions for hunting and other dispersed recreation activities and should increase user satisfaction in most areas. Fuel reduction and salvage treatments will reduce a large portion of this heavy buildup of dead and down material. The reduction in overhead hazard trees and removal of downed, woody material will also enhance access for range permittees and other permittees who travel through conifer stands.

Comparison of Alternatives: Under the no-action alternative, the existing overhead hazard trees and down and dead conditions would continue to decrease access for hunting, livestock grazing permittees and livestock, and other activities that require backcountry travel. Under the modified proposed action, access by those entities will be increased due to fuel reduction and salvage treatments, which will decrease the number of standing dead trees prone to falling in the near future and the existing matrix of down and dead trees.

Purpose: Provide for human safety

Need: Treat hazard trees within and outside the wildland-urban interface. Increase the extent of defensible space around resources at risk. Create fuel breaks to aid in wildland firefighting efforts.

Rationale for Decision: The standing dead trees create overhead safety hazards for Medicine Bow National Forest personnel, permittees, and the visiting public. Overhead hazard trees are commonplace throughout the forest. This increases the risk of injury to fire personnel and severely limits safe fire suppression. In 2014, a firefighter was injured by a falling tree on the Holroyd Fire in an area of beetle-killed trees like conditions found in the LaVA project area. It is my highest priority to protect the safety of the public, our wildfire responders, and other personnel.

The existing conditions are out of conformance with safety guidance for hazard trees, as well as maintenance standards in Forest Service manuals, handbooks, policies, and the forest plan (USDA Forest Service 2003a, goal 4, subgoal 4.a, page 1-12 and goal 1, subgoal 1.c, strategy h, page 1-6; Trails Management Handbook: Forest Service Handbook 2309.18). The existing condition of overhead hazard trees and ladder fuels caused by the bark beetle epidemics does not meet the desired condition of providing for public and employee safety and lowering the risk of wildfire in wildland-urban interface areas. To move toward a safe desired condition, there is a need to reduce the number of hazard trees and ladder fuels in priority areas.

The buildup of fuels due to the widespread, post-epidemic conditions in conifer stands has created fuel conditions that pose a higher risk of large-scale wildfires and create a safety hazard to wildland firefighters and communities within the wildland urban interface. Providing fuel breaks will help wildland firefighting efforts keep fires from spreading into communities and promote safety for firefighters by increasing safety zones and defensible space to protect structures. Providing fuel breaks will move the project area toward desired conditions for providing direct, prescription, or perimeter control consistent with the forest plan and fire management plan as well as the community wildfire protection plans for Albany and Carbon Counties.

Comparison of Alternatives: Under the no-action alternative, the continuation of the existing condition of overhead hazard trees caused by the bark beetle epidemics does not meet the desired condition of providing for public and employee safety and lowering the risk of wildfire in wildland-urban interface areas. The down and dead conditions and overhead hazard trees present conditions that reduce public safety, firefighters, and other personnel. The modified proposed action will provide fuel breaks to protect structures and residences within the wildland-urban interface, as well as provide fuels transition zones to help firefighters safely engage fires before the fires enter the wildland urban interface. The modified proposed action best meets the purpose and need by removing hazard trees in priority areas and improving safety along trails, roads, and facilities.

Response to Public and Agency Comments

(a) Recommendations from LaVA cooperating agencies

Forest Service resource specialists and leadership team members have met with LaVA cooperating agencies on a monthly basis since March of 2017. Over the course of these last three years, cooperating agencies have been instrumental in helping to develop the LaVA Project by providing supporting data, participating in monthly meetings, participating in public engagement efforts, reviewing environmental documents, and donating valuable time and resources. I am grateful to these entities for their unwavering dedication and support.

(b) Response to Scoping Comments

The scoping period for the LaVA project closed on August 21, 2017; 58 public comment letters were received. The letters were reviewed by forest staff and eight issues were identified, as listed below. These issues were used to help frame the analysis and were analyzed in all iterations of environmental impact statements for the LaVA Project. Response to some of the Issues was also augmented to address concerns raised during the April – May 2019 objection process (for example, Issues 1, 3, 4, 5, 6, and 7).

- Issue 1 - The proposed action should include more site-specificity
- Issue 2 - A range of alternatives is warranted for a project of this scope and scale
- Issue 3 - Additional public engagement is warranted
- Issue 4 - An implementation strategy needs to include meaningful ways for the public to engage on individual treatments
- Issue 5 - The scope and scale of the project is too large
- Issue 6 - Proposed action road estimates should be reduced
- Issue 7 - Inventoried roadless areas and unroaded areas should be protected
- Issue 8 - Impacts to visitor and permittee access

(c) Response to Comments on the Draft Environmental Impact Statement

Forest Service staff received 130 comment letters during the 45-day comment period for the draft environmental impact statement. Because certain members of the public expressed reservations about the LaVA Project throughout the analysis process, it was of utmost importance to me that each letter received was thoroughly read and objectively analyzed and that the information was used to strengthen and clarify the final environmental impact statement. Changes made to the April 2019 final environmental impact statement, in response to public comments, are depicted in Table 1 of that document. Many of these changes resulted in reanalysis and disclosure of effects documented in chapter 3 of the April 2019 final environmental impact statement; others resulted in further modifications to the modified proposed action, as outlined on pages 12 through 14 of this decision document.

(d) Response to Public Concerns raised during the 2019 Objection Process

The Medicine Bow National Forest released the LaVA Project final environmental impact statement and draft record of decision for a 30-day project-level pre-decisional administrative review period, or 'objection period' (36 CFR 218, subparts A and C) on April 19, 2019. By the close of the objection period, the Forest Service had received 27 letters of objection to the draft decision.

Chapter 1 of the modified final environmental impact statement includes Table 1 which outlines the specific changes that were made to the LaVA analysis based on the 2019 objection process. This table demonstrates my responsiveness to the concerns raised and provides a row-by-row account of analysis modifications and clarifications. Modified Appendix A: Adaptive Implementation and Monitoring Framework also includes information about how this document was modified to be responsive to concerns raised in the letters of objection (Modified Appendix A, page 3).

In summary, I believe that the selection of alternative 2, the modified proposed action, best responds to the project purpose and need and represents my best effort to most reasonably balance the needs of forest users and partners while meeting the purpose of and need for the project while remaining consistent with mandates under law, regulation, and policy, for managing the Medicine Bow National Forest. I further believe significant efforts were made during the analysis process to address public interests and concerns related to the modified proposed action and my decision reflects these efforts. One of the primary concerns from the public during scoping was the ability to provide public feedback during the implementation process and during the development of individual treatments within the treatment opportunity areas.

Both the modified final environmental impact statement and this decision now require annual opportunities for public engagement throughout the implementation process (Appendix A). In addition, I asked Forest Service resource specialists to perform an analysis of commitments made in Appendix A as compared to a decision memo authorized for a Healthy Forests Restoration Act project categorically excluded from documentation in an environmental assessment or environmental impact statement. I believe this was a very valuable exercise that helps to illustrate the many additional commitments we have made to ensure a successful project and continued public engagement. Attachment 8 of Appendix A provides more details related to this comparison.

I also agree with public comments indicating that protection of wildlife habitat is a priority within the Sheep Mountain Inventoried Roadless Area and Sheep Mountain Federal Game Refuge. Therefore, my decision excludes that area from commercial treatments. Noncommercial activities will still be considered in the Sheep Mountain area only if they improve wildlife habitat in conformance with the forest plan.

While it is impossible to please all interests, this decision is my best effort to most reasonably balance the need for aggressive response to the impacts of the bark beetle epidemic in this area, in addition to other forest multiple uses, consistent with the Forest Service's mission and mandates under law, regulation, and policies for managing the Medicine Bow National Forest.

Public and Agency Involvement

The notice of intent initiating the scoping period for the LaVA Project environmental impact statement was published in the Federal Register on July 21, 2017. The notice asked for public comments on the modified proposed action from July 21, 2017 to August 21, 2017. As part of the scoping process, the agency also mailed 1,200 scoping postcards to organizations and individuals including adjacent landowners; federally recognized Tribes; and Federal, State, and local government representatives.

To inform the public of the proposal, the scoping package was posted to the Medicine Bow-Routt National Forests and Thunder Basin National Grassland website on July 24, 2017. A news release was also prepared and distributed to local and regional media outlets on August 1, 2017. Additionally, the news release was posted on the Medicine Bow-Routt National Forests and Thunder Basin National Grassland website and Twitter feed. Finally, Forest Service personnel hosted six open house meetings between August 2017 and January 2018. Formal scoping meetings were held in Laramie on August 8, 2017 and in Saratoga on August 10, 2017. Check-in meetings were held in Saratoga on January 23, 2018 and January 24, 2018 and in Laramie on January 30, 2018 and January 31, 2018. Forest Service and cooperating agency personnel were available to answer questions related to the proposal at both the formal scoping and check-in meetings. Fifty-eight comment letters and emails were received during the formal scoping period and from feedback provided from the January 2018 check-in meetings.

The Federal Register notice of availability for the draft environmental impact statement was published on July 6, 2018. This notice initiated a formal 45-day public comment period on the draft environmental impact statement ending on August 21, 2018. During this comment period, Forest Service staff hosted three open house meetings in Cheyenne, Laramie, and Saratoga, Wyoming. A total of 130 comment letters were received. Responses to these comments, provided in Appendix A to the final environmental impact statement, resulted in minor changes to the document but did not result in the development of a new action alternative. Throughout the analysis process, members of my staff also made numerous presentations to local clubs and homeowner associations in an effort to inform the community about project planning.

The public and other interested stakeholders were notified about the availability of the LaVA Project final environmental impact statement and draft record of decision on April 16, 2019. A legal notice announcing the availability of the final environmental impact statement was printed in the Laramie Boomerang (newspaper of record) in coordination with timing of the Federal Register notice of availability for the final environmental impact statement and draft record of decision on April 19, 2019. The publication of the legal notice initiated a 30-day project-level objection period, as authorized at 36 CFR 218, Project-level pre-decisional administrative review process, subparts A and C.

On June 18, 2019 I sent a letter to interested and affected entities withdrawing the April 2019 draft record of decision and cancelling the objection process. This action was done to allow my staff and I additional time to be responsive to public concerns raised in the letters of objection to the April 2019 draft decision. As a result of that action, all aspects of the April 2020 modified final environmental impact statement are subject to administrative review and not just those aspects of the document that were modified.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative in detail (alternative 1: no action), which is discussed below. A detailed comparison of the no-action alternative and the modified proposed action can be found in the modified final environmental impact statement on pages 103 through 115.

I also considered five additional alternatives but dismissed them from further analysis for reasons outlined on pages 101 through 103 of the modified final environmental impact statement. One of these alternatives, No Harvesting of Dead Lodgepole Pine, was considered in response to concerns raised during the 2019 objection process.

Alternative 1: No Action, Current Management

National Environmental Policy Act (NEPA) regulations require the analysis of a no-action alternative; they also require it be used as a baseline for comparing the environmental consequences of the other alternatives (40 CFR 1502.14(d) and Forest Service Handbook 1909.14.1).

The no-action alternative defines the baseline existing condition to include changes to the landscape that would occur with routine management programs and activities conducted at historic rates since approval of the forest plan in 2003. The no-action alternative describes the level of management activity that has occurred for specific program areas over the last 15 years and project management actions that could occur over the next 15-year period. The no-action alternative also assumes the proposed action will not be implemented. Current management activities, such as livestock grazing, vegetation treatments, fire suppression, fuels reduction, and road maintenance, would continue at historic rates.

Under the no-action alternative, there would be no effort, beyond 15-year historical rates, to modify existing vegetation or related fuel conditions associated with the bark beetle epidemic in the LaVA analysis area. Fuel breaks or thinning would not occur adjacent to boundaries or inholding lands of other ownership. Opportunities to designate better quality stands for late succession management would be lessened. Other management actions authorized under previous decisions within the project area would likely continue to be implemented at 15-year historical rates.

Comparison of Alternatives

In making my decision, I considered how implementing either the modified proposed action or the no-action alternative would contribute toward achieving management objectives and responding to issues carried forward into the modified final environmental impact statement. Pages 99-110 of the modified environmental impact statement contain several tables that provide a summary of the effects of implementing the modified proposed action and the no-action alternative. Table 28 of the modified final environmental impact statement compares effects of the alternatives of all resource areas. Table 29 through table 33 correspond to issues 5 through 8, as identified in final environmental impact statement, chapter 1. These issues include indicators, or ways of measuring the status of different resource areas and their response to proposed management actions. See chapter 3 of the modified final environmental impact statement for a full effect's analysis.

Environmentally Preferable Alternative

Disclosure of one or more environmentally preferable alternatives is required (Section 101 NEPA; 40 CFR 1505.2(b)). The environmentally preferable alternative is not necessarily the alternative that will be implemented, and it does not have to meet the purpose and need for the project. It must, however, cause the least damage to the physical and biological environment and best protect, preserve, and enhance historical, cultural, and natural resources.

In the case of the LaVA Project, there could be two environmentally preferred alternatives depending on which perspective one takes. From a short-term (less than 5 years), non-disturbance perspective, the no-action alternative meets many of the criteria for being environmentally preferred. In the short-term, no-action would provide the most acres for species preferring more mature, dense forested habitat and would maintain the highest number of snags. In the long-term, however, implementation of no-action would allow the drastic alteration of stand characteristics due to the considerable amounts of tree mortality with heavy downed material. These conditions would render firefighting increasingly difficult, if not impossible, until a change in fuel conditions or types is encountered.

When considering an intermediate-term and long-term perspective (beyond 5 years), I believe the modified proposed action is the environmentally preferred alternative. This alternative will help to ensure the future health of the land by providing appropriate opportunities to reduce the effects of tree mortality and canopy change associated with the bark beetle epidemic without creating irreversible or irretrievable resource impacts. Furthermore, wildlife species which depend on an open forest habitat, as opposed to a dense forested habitat, could benefit. In addition, the modified proposed action will allow the Forest Service to manage hazardous fuel loading to reduce the potential for large, high-intensity and high-severity wildfires. While I recognize some activities associated with the modified proposed action will generate significant short-term effects related to vegetation management, I believe the reduction of significant long-term environmental risks far outweigh any short-term negative impacts.

Balance Between Action and Impacts

My decision takes into consideration the balance between needed action and associated adverse and beneficial resource impacts. Among the impacts analyzed in the modified final environmental impact statement, my decision will authorize up to 95,000 acres of stand initiation or even-aged treatments, up to 165,000 acres of shelterwood, uneven-aged, or intermediate treatments, and up to 100,000 acres of green tree, shrub, and grassland treatments, including prescribed fire, mastication (mechanical fuel reduction), and hand thinning. The total area authorized will not exceed a 360,000-acre maximum based on the area of primary treatment. I also authorize the construction of no more than 600 miles of temporary road, as necessary, to access treatment areas. Finally, I authorize the use of adaptive implementation and monitoring to identify individual treatment units and vegetation treatments options (Appendix A) over the next 15-year implementation phase of this project.

Another important resource consideration that required me to balance actions and impacts is the need to ensure actions taken now to restore forest stand conditions do not have permanent, irreversible impacts on watershed condition. Forest Service resource specialists made recommendations to modify the LaVA Project to address this issue, and I have incorporated their recommendations in this decision. Although I expect some significant watershed effects will occur, I have decided to include decision triggers and design criteria to address cumulative watershed effects concerns in 7th-level hydrologic unit code watersheds that are most susceptible to impacts from changes in water yield (Appendix A).

Some members of the public expressed concern with the amount of temporary road construction associated with the modified proposed action. I thoroughly reviewed the impacts of roads on many resources, specifically the effects of temporary roads (detailed in chapter 3 of the final environmental impact statement) and their potential resource effects. It is apparent proper location and the adaptive implementation and monitoring framework (Appendix A) play an important role in reducing road impacts as disclosed in the final environmental impact statement. The number of temporary roads proposed are necessary to effectively respond to the purpose and need of the project. While I did not reduce the number of temporary roads proposed for construction, I have put a cap on the number of temporary roads that may remain open at a given time (75 miles).

I have also considered the project's impacts to Canada lynx protected under the Endangered Species Act. The modified final environmental impact statement analysis concluded that the modified proposed action may affect and is likely to adversely affect Canada lynx. The effects analysis states that high mortality lodgepole pine stands with limited understory development are already unsuitable habitat for Canada lynx and their prey. These stands will not be made less suitable through the proposed actions. There will also be substantial stand initiation treatment and some extensive thinning treatments in live conifer stands that will convert currently suitable lynx habitat to an unsuitable condition. I recognize Canada lynx habitat would also improve within the project area under the no-action alternative in the intermediate and long-term through succession of beetle-killed lodgepole to predominantly spruce/fir stands. I also considered there would still be beetle-killed areas outside the project area on the Medicine Bow National Forest where the succession of spruce/fir would increase because treatments are not feasible due to the limitations of management prescriptions (for example, wilderness). I factored impacts to Canada lynx habitat into my decision and selected treatments to meet the purpose and need for this project.

Legal and Regulatory Compliance

Forest Plan Consistency

The environmental analysis documented in the LaVA final environmental impact statement incorporates the 2003 Medicine Bow forest plan by reference.[7] A forest plan consistency analysis was completed for all alternatives to determine their consistency with forestwide, geographic area, and management area direction and standards and guidelines.

The analysis revealed that the modified proposed action conforms to all forest plan standards. As indicated previously, however, there may be instances where deviations from forest plan guidelines related to wildlife security areas may be necessary. As required by this decision, any deviations from forest plan guidelines will be addressed, documented, and disclosed during the design of individual treatments, in accordance with Appendix A, the adaptive implementation and monitoring framework. The no-action alternative conforms to all forest plan standards and guidelines.

Findings Required by Other Laws and Regulations

National Environmental Policy Act

The National Environmental Policy Act requires Federal agencies to analyze the direct, indirect, and cumulative effects of their actions and to prepare detailed statements on proposed actions that significantly affect the quality of the human environment. This information provides decision makers with a detailed accounting of the likely environmental effects of a proposed action prior to its adoption and informs the public of, and allows comment on, such effects. However, conducting a thorough, site-specific analysis and taking a *hard look* at the effects of a proposed action does not always require hard data. *Navickas v. Conroy* (D. Or. 2012). If the data collected, evaluated and disclosed was adequate to inform the decision maker of the likely (non-speculative) environmental impacts of the project and allowed the public to reasonably comment on the significant issues, the *hard look* test was met.

In the case of the LaVA Project, resource specialists utilized best available science information when determining the effects of the alternatives, as disclosed throughout the April 2020 modified final environmental impact statement (for example, Chapter 1 – Background for Purpose and Need; Chapter 2 – Treatment Opportunity Areas; and Chapter 3 – LaVA Accounting Units) and as documented in the specialist reports prepared for the analysis (filed at LaVA NEPA Project Website at http://www.fs.usda.gov/project/?project=51255). Appendix A, the adaptive implementation and monitoring framework also requires a rigorous five-phase process for identifying, refining, field verifying, and monitoring individual vegetative treatments over the 15-year implementation period, as well as opportunities for annual public and cooperating agency participation. Furthermore, the field verifications required in Appendix A, include pretreatment site surveys, which provides current condition data to resource specialists who can develop more rigorous project design features, if necessary. Finally, all substantive comments on the draft environmental impact statement were summarized with responses in Appendix A of the April 2019 final environmental impact statement. Given all of these factors, I find that both the environmental analysis and the public involvement processes conducted for the LaVA Project comply with the requirements set forth by the Council on Environmental Quality for implementing the National Environmental Policy Act (40 CFR 1500-1508).

[7] 40 CFR 1500.4, 40 CFR 1502.20 and 40 CFR 1508.28

Healthy Forests Initiative and Healthy Forests Restoration Act

The LaVA Project was analyzed under the Agricultural Act of 2014, section 8204, Insect and Disease Infestations. Section 8204 of the Act amended the Healthy Forests Restoration Act of 2003 by adding Section 602 to the end of Title VI – Miscellaneous. The purpose of Section 602 is to designate treatment areas for the purposes of addressing insect or disease threats.

An error was made in the 2019 LaVA Project draft record of decision relative to compliance with the Healthy Forests Restoration Act. To clarify, the LaVA Project is not subject to Sections 102(e) and (f) of the Act as stated in the 2019 decision document. Instead, it is subject to Sections 602(d) and (e).

Section 602(d) authorizes priority projects on Federal land in the areas designated under subsection (b)—designation of treatment areas--to reduce the risk or extent of, or increase the resilience to, insect or disease infestation in the areas. On March 22, 2017, the Chief of the Forest Service designated the majority of the Medicine Bow National Forest as a landscape-scale insect and disease area under section 602(d). Therefore, the modified proposed action meets the intent of the Healthy Forests Restoration Act in this regard.

Section 602(e) of the Healthy Forests Restoration Act requires Forest Service personnel, when carrying out covered projects, to:

> "carry out projects under subsection (d) in a manner that maximizes the retention of old-growth and large live trees as appropriate for the forest type, to the extent that that trees promote stands that are resilient to insects and diseases."

Most of the identified old growth areas have been excluded from the proposed vegetation treatments. Any treatments conducted in old growth will be designed to maintain or promote characteristics of old growth stands, consistent with old growth design feature #1 and forest plan biological diversity standard 1. In addition, large live trees will be retained as appropriate for the forest cover type given the silvicultural systems used and/or the forest plan direction regarding retention of snag recruits, which leave or create structural elements of old growth. As such, I have determined this project complies with section 602(e) of the Healthy Forests Restoration Act as related to old growth and the retention of large live trees.

The Forest also complied with the Healthy Forests Restoration Act requirements for considering alternatives. The Act requires that agencies, in considering alternatives, shall study, develop, and describe (A) the proposed agency action; (B) the alternative of no action; and (C) an additional action alternative, if the additional alternative (i) is proposed during scoping or the collaborative; and (ii) meets the purpose and need for the project.

In the case of the LaVA Project, multiple additional alternatives were suggested during scoping and the 45-day comment period for the draft environmental impact statement. The Healthy Forests Restoration Act, section 104 (c)(2) requires when there are multiple additional alternative suggested, the agency shall:

> “(A) select which additional alternative to consider, which is a choice that is in the sole discretion of the Secretary; and
> (B) provide a written record describing the reasons for the selection.”

The LAVA analysis includes a Proposed Action (currently identified in the modified final environmental impact statement as an alternative considered but eliminated from detailed study (p. 101)), a No-Action, and a Modified Proposed Action. The Modified Proposed Action was developed to include suggestions provided through scoping, comments received on the DEIS, and cooperating agency input throughout the development of the final environmental impact statement and the modified document. The modifications to the proposed action are defined as an alternative in Forest Service NEPA Regulations 36 CFR 220.5(e)(1): "The responsible official may modify the proposed action and alternative(s) under consideration prior to issuing a draft EIS. In such cases, the responsible official may consider the incremental changes as alternatives considered."

For this project, many alternative approaches to the proposal were suggested in scoping and collaborative processes. The Responsible Official selected the Modified Proposed Action as the alternative to consider and provided a written record describing the reasons for the selection. Pursuant to 36 CFR 220.5(e)(1), this incremental change to the proposed action was considered as an action alternative. Each of the three alternatives considered was developed, studied, and described as required by HFRA Section 104(c)(1). Although the No-Action and Modified Proposed Action Alternatives were developed, studied, and described in more detail, the original Proposed Action was developed in a collaborative process, described in detail in the public scoping process, and studied to the extent that further study was deemed unnecessary.

National Forest Management Act

The analysis documented in the final environmental impact statement determined the modified proposed action is consistent with the National Forest Management Act. I find the activities associated with the modified proposed action comply with the act and the corresponding guidance in the Forest Service directive system as follows:

- **Irreversible resource damage will not occur:** With the resource protections provided under the adaptive implementation and monitoring framework (Appendix A), irreversible or irretrievable resource damage is not anticipated as a result of implementing the activities under the modified proposed action (final environmental impact statement, chapter 3; Forest Service Handbook 1909.12, Sec. 61.1).
- **Adequate restocking is assured:** The National Forest Management Act requires that all stands harvested under a regeneration cut (such as clearcutting) have regeneration within five years after harvest. The silvicultural analysis completed for the modified proposed action determined that there is reasonable assurance that reforestation will occur within five years of final harvest. Site preparation will occur as soon as practical after harvest, and monitoring will be done to determine if adequate natural regeneration is occurring. If natural regeneration is not sufficient, artificial regeneration could be planned. Assurance is based on the assumption funding will be available. Events such as high-intensity fires may alter site conditions such that forest plan stocking objectives may be inappropriate. The Medicine Bow's seed bank contains seed for reforestation purposes. If needed, seed will be collected for artificial regeneration purposes (Forest Service Handbook 1909.12, Sec. 61.2).
- **Clearcutting must be determined to be the optimum method:** Use of the clearcut prescription in areas of the LaVA analysis area has been determined to be the optimum silvicultural method for a variety of reasons, including, but not limited to: (a) it meets the objectives of the forest plan for the management areas proposed for treatment and (b) it is a scientifically sound method for regenerating lodgepole pine, as described in Agricultural Handbook 654, Volume 1. Conifers (revised 12/90) pages 302 through 315 (Forest Service Handbook 1909.12, section 61.3).

- **Timber harvest will occur on lands not suited for timber production:** The silvicultural analysis completed for the modified proposed action determined timber harvest will occur on lands not suited for timber production to meet the purposes of the project as follows: 1) improve wildlife habitat for a wide range of species, 2) improve range conditions for big game winter habitat and domestic livestock, 3) create a mosaic of species and age class diversity across the project area, 4) decrease fuel loading and the likelihood of higher severity wildland fires, and 5) increase the resiliency of native vegetation (16 U.S.C. 1604(k); Forest Service Handbook 1909.12, section 62).
- **Culmination of mean annual increment (CMAI) requirements are met:** The National Forest Management Act requires that stands of trees authorized for regeneration harvest should generally have reached culmination of mean annual increment of growth (16 U.S.C. 1604 (m)(1); Forest Service Manual 1921.12(f)). Exceptions are permitted for a variety of reasons if they are consistent with the forest plan. Exceptions include stands in imminent danger from insect or disease attack or mortality, wildlife habitat improvement, scenery resource enhancement or rehabilitation, ecosystem restoration, areas managed for Christmas tree production, or where other resource management objectives or special resource considerations would benefit from earlier harvest. The silvicultural analysis completed for the modified proposed action determined all treatments proposed either meet culmination of mean annual increment requirements or they meet the exceptions outlined above (16 U.S.C. 1604(m); Forest Service Handbook 1909.12. section 61.3).
- **Maintaining species viability for Forest Service sensitive species:** A biological evaluation was prepared to document possible effects of any proposed activities on sensitive species in the LaVA project area. The biological evaluation determined the modified proposed action may adversely impact individuals for 15 different Forest Service sensitive species: American marten, northern goshawk, flammulated owl, purple martin, olive-sided flycatcher, Rocky Mountain bighorn sheep, hoary bat, boreal owl, pygmy shrew, Hudsonian emerald, white-tailed prairie dog, Brewer's sparrow, Columbian sharp-tailed grouse, greater sage-grouse, and western bumblebee. However, the biological evaluation further states the implementation of the modified proposed action is not likely to result in a loss of viability on the planning area for these sensitive species nor cause a trend to Federal listing or a loss of species viability range-wide. In some cases, detrimental impacts to individual sensitive species will be short term. For other sensitive species, detrimental impacts will occur over the longer term until forests stands regenerate and mature.

Endangered Species Act (ESA) of 1973

The modified proposed action also complies with the Endangered Species Act of 1973. The Endangered Species Act (16 USC 1531 et seq.) requires that any action authorized by a Federal agency does not result in a determination of likely to jeopardize the continued existence of a threatened or endangered species or result in the destruction or adverse modification of the critical habitat of such species.

Coordination with U.S. Fish and Wildlife Service personnel has continued since the initial draft of proposed actions. The U.S. Fish and Wildlife Service is an agency cooperator on the LaVA Project. The LaVA Project was discussed with the southern Wyoming Level 1 team on September 26, 2017, May 30, 2018, and December 10, 2019. Level 1 teams are comprised of wildlife professionals from local Federal agency offices who are tasked with reviewing the impacts of Federal actions to federally listed threatened and endangered species. A biological assessment was prepared to document possible effects of any proposed activities on endangered, threatened, or proposed species in the LaVA project area. The biological assessment determined the modified proposed action ***"may affect,"*** and is ***"likely to adversely affect"*** the Canada lynx. Formal consultation was completed with U.S. Fish and Wildlife Service on June 10, 2019 and they concurred with the "***may affect"*** and is ***"likely to adversely affect"*** determination.

The Forest requested another review of the analyses for threatened and endangered species as a result of the recent clarifications to the proposed actions to ensure this determination is consistent with project impacts. The additional review was completed by U.S. Fish and Wildlife Service on December 20, 2019. U.S. Fish and Wildlife Service determined that the effects of the clarifications were within the range of effects addressed in the June 10, 2019 consultation and consistent with the management direction and effects considered in the programmatic consultation and biological opinion for the Southern Rockies Lynx Amendment. The current biological assessment for the LaVA Project also addressed potential effects of the modified proposed action to other threatened and endangered species occurring in the project area or that might be impacted by the proposed action. Analyses determined the modified proposed action will have "***no effect***" to Preble's meadow jumping mouse because a project design criterion specifically prohibits actions in potential Preble's meadow jumping mouse habitat and 766-acre Area of Influence along the Laramie River in the Fox Wood Accounting Unit. Analyses determined that the modified proposed action will have "***no effect***" to all other threatened and endangered species because the species are not present in the project area and no actions will impact suitable habitat or directly or indirectly affect the species in any way.

Clean Water Act, Executive Order 11990 (Wetlands), Executive Order 11988 (Floodplains)

The watershed and soils analysis conclude there will likely be some unavoidable, significant, short-term, localized adverse effects to water bodies and water quality from implementing the modified proposed action. Design features, including soil and water conservation practices (final environmental impact statement, Appendix A), will minimize or mitigate most adverse effects to water quality or riparian areas at the site-specific or localized scale and prevent adverse effects from creating permanent damage and at such a level as to be irreversible.

A consistency analysis was also completed to determine whether the modified proposed action will comply with Executive Orders 11988 and 11990 dealing with floodplains and wetlands. The analysis determined the modified proposed action will maintain wetland and floodplain function through avoiding mechanical harvest in, and minimizing road related impacts to, these areas. The project will also use best management practices to reduce any short-term impacts to wetlands and floodplains.

The modified proposed action will comply with the Clean Water Act and State of Wyoming water quality standards through the use of best management practices and associated monitoring. Proposed temporary road construction in the modified proposed action may require a short-term exemption from State of Wyoming turbidity standards. The work will be evaluated during timber sale implementation and road contract preparation, and, if needed, a waiver will be secured prior to project implementation.

Section 12313 of the Agriculture Act of 2014 (2014 Farm Bill) (H.R. 2642, Public Law 113-79) amended section 402(l) of the Federal Water Pollution Control Act (Clean Water Act) (33 U.S.C. 1342(l)) to prohibit the issuance of national pollutant discharge elimination system permits by Environmental Protection Agency (EPA) personnel or any State personnel for "discharge from runoff resulting from the conduct of the following silviculture activities conducted in accordance with standard industry practice: nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance."

In addition, EPA staff decided "no additional regulations are needed to address stormwater discharges from forest roads under Section 402(p)(6) of the Clean Water Act at this time" (81 FR 43492, July 5, 2016). EPA personnel determined additional federal regulation would be duplicative of, and take resources away from, existing programs, including the Forest Service National Best Management Practices Program and State best management practices, while not greatly improving water quality over what the existing programs are already accomplishing.

Therefore, road reconstruction and temporary road construction associated with silvicultural treatments in this project are considered silvicultural activities and there is no need to obtain a Clean Water Act Section 402 stormwater discharge permit.

Activities not related to silviculture (such as some road construction and road decommissioning in some locations) may require a stormwater discharge permit. The work should be evaluated to determine the need for a national pollutant discharge elimination system permit during implementation planning and a stormwater discharge permit should be acquired as part of project implementation planning if needed prior to implementation.

Clean Air Act of 1970

The Clean Air Act provides for the protection and enhancement of the Nation's air resources. No exceedance of the Federal and State ambient air quality standards is expected to result from implementation of the modified proposed action (final environmental impact statement, chapter 3, "Air Quality" section).

National Historic Preservation Act of 1966

The modified proposed action complies with the National Historic Preservation Act of 1966, as amended, and the 2008 programmatic agreement between the Wyoming State Historic Preservation Office, the Advisory Council on Historic Preservation, and the national forests in Wyoming. The terms of this programmatic agreement will be carried out during adaptive implementation of the modified proposed action. All surveyed and inventoried cultural resources considered eligible or unevaluated for the National Register of Historic Places have either been excluded from the area of potential effect or will be buffered and avoided during resource management activities. Consequently, implementation of the modified proposed action will result in no adverse effect and no State Historic Preservation Office consultation is required. Any new sites discovered during operations will be reported, evaluated and, if eligible, will be protected.

Executive Order 12898

Executive Order 12898 on environmental justice requires Federal agencies to identify and address any disproportionately high and adverse human health or environmental effects on minority and low-income populations. The socioeconomic analysis (final environmental impact statement, chapter 3, pages 321 through 328) confirmed the modified proposed action does not discriminate against or disproportionately affect minority or low-income populations.

National Trails System Act

The decision to implement the authorized road and vegetation treatment activities does not substantially interfere with the nature and purposes of the Continental Divide National Scenic Trail and, therefore, is compliant with the National Trails System Act, as amended.

Forest Service Travel Management Rule

The project decision does not approve the construction or decommissioning of classified system roads. All constructed temporary roads will be rehabilitated within three years of site-specific project implementation. The decommissioning of temporary roads is consistent with the minimum road system identified for the Medicine Bow National Forest. Since temporary roads are not part of the System and they do not fall under the requirements of the Travel Management Rule, thus a Forest-wide travel analysis report is not required and was not prepared.

Administrative Review

This reissued draft record of decision is subject to a project-level pre-decisional administrative review process (also known as 'objection process') pursuant to 36 CFR 218, subparts A and C. Objections, including attachments, must be filed via postal service, fax, e-mail, or hand-delivery. Postal service mail is to be sent to: Rocky Mountain Regional Office; Attn: Reviewing Officer, P.O. Box 18980, Golden, CO 80402; fax to (303) 275-5134; email to https://cara.ecosystem-management.org/Public//CommentInput?Project=51255; or hand-delivery to 1617 Cole Boulevard, Building 17, Lakewood, Colorado. Office hours for hand-delivery are Monday through Friday 8:00 AM to 4:30 PM, excluding holidays.

Electronic objections must be submitted in a commonly used format (such as .doc, .docx, .pdf, .txt, or .rtf) with subject: LaVA MFEIS. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

It is the objector's responsibility to ensure timely filing of a written objection with the reviewing officer pursuant to 36 CFR 218.9(a). All objections are available for public inspection during and after the objection process.

Objections must meet the procedural and content requirements specified in 36 CFR 218.8. Objections will only be accepted from those who submitted timely, project-specific written comments during a previous designated public comment period. Issues raised in objections must be based on previously submitted comments unless based on new information arising after the designated comment periods. Objections must be submitted within 30 days following the publication of the legal notice of opportunity to object in the Laramie Boomerang (Laramie, WY), which is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframes provided by any other source. It is the objector's responsibility to ensure evidence of timely receipt (36 CFR 218.9). The regulations prohibit extending the time to file an objection.

Implementation

Implementation will occur under the final record of decision, which will be issued following the close of the objection resolution period (36 CFR 218.12). If no objections are received, implementation of the decision may begin on, but not before, the fifth business day following the close of the objection filing period (36 CFR 218.12(c)(2)). If an objection is received, the final record of decision will not be signed until the close of the objection resolution process (36 CFR 218.12(a)).

The final environmental impact statement will be filed with the EPA and notice of its availability will be posted in the Federal Register. Implementation may not occur until 30 days after publication of the Federal Register notice. The Federal Register notice is not tied to objection process timelines.

Contact Person

For additional information concerning this decision, contact Melissa Martin, Planning and Information Program Manager, Medicine Bow National Forest, 2468 Jackson Street, Laramie, Wyoming 82070. Telephone: (307) 745-2371.

Responsible Official

Russell M. Bacon
Forest Supervisor
Medicine Bow-Routt National Forests and Thunder Basin National Grassland

Attachment A: IRA Tables and Maps

Table 11. Inventoried roadless areas proposed treatment acres, exceptions, and treatment proponent/rationale.

MAP[8]	**Roadless Name** (Total Acres)	**No Treatment** (Acres)	**No Exception: Treatments Not Involving Timber Cutting, Sale, or Removal** (e.g., prescribed burning, shrub mastication) (Acres)	**Exception 1.i**[9]**: Treatment to Improve T&E, proposed or sensitive species habitat** (Acres)	**Exception 1.ii: Treatments to restore ecosystem function** (e.g., reduce risk of uncharacteristic wildfire effects) (Acres)	**Exception 2: Treatments incidental to management activity not otherwise prohibited by Roadless Rule)** (i.e., Ditch/ Fence clearing) Ditch/Fence (Acres)	**Total Available for Treatment** (Acres & %)[10]	**Proposal and Rationale**[11]
1	Battle Creek (5,894)	3,666	1,409	--	808	5 / 75	2,228 38%	1.ii - Infrastructure - inholding protection / Wyoming Game and Fish Department (WGFD) Mule Deer Initiative (MDI) area; 2 – Ditch/Fence protection; < 25% Carbon County Community at Risk (CAR)[12]
2	Bear Mountain (9,426)	3,767	1,903	--	3,735	28 / 199	5,659 60%	1.ii – Infrastructure - inholding - boundary protection / WGFD MDI area; 2 – Ditch/Fence protection; < 25% Carbon County CAR

[8] Detailed maps of each of the 25 potentially affected inventoried roadless areas are located on the LaVA Project NEPA Website at https://www.fs.usda.gov/project/?project=51255.

[9] There is overlap in some inventoried roadless areas between treatment acres that fall under exceptions 1.i, 1.ii, and 2.

[10] In some inventoried roadless areas the Total Available for Treatment may slightly exceed the acres listed under No Treatment and exception categories due to data topology discrepancy between separate data sources.

[11] This column displays the rationale and proposing agency for treatment under various exceptions to the timber cutting, sale, and removal prohibition in the 2001 Roadless Rule (36 CFR 294.13(b)(1)-(4)).

[12] This is the percentage is the portion of the individual inventoried roadless area that is within a county Community at Risk area.

MAP[8]	**Roadless Name** (Total Acres)	**No Treatment** (Acres)	**No Exception: Treatments Not Involving Timber Cutting, Sale, or Removal** (e.g., prescribed burning, shrub mastication) (Acres)	**Exception 1.i**[9]**: Treatment to Improve T&E, proposed or sensitive species habitat** (Acres)	**Exception 1.ii: Treatments to restore ecosystem function** (e.g., reduce risk of uncharacteristic wildfire effects) (Acres)	**Exception 2: Treatments incidental to management activity not otherwise prohibited by Roadless Rule)** (i.e., Ditch/ Fence clearing) Ditch/Fence (Acres)	**Total Available for Treatment** (Acres & %)[10]	**Proposal and Rationale**[11]
3	Big Sandstone (7,170)	2,378	2,040	--	2,748	-- / 50	4,792 67%	1.ii – Infrastructure - inholding - boundary protection / WGFD aspen enhancement / WGFD MDI area; 2 - Fence protection; < 25% Carbon County CAR
4	Bridger Peak (6,694)	65	2,971	--	3,655	65 / --	6,629 99%	1.ii – Infrastructure - inholding protection;2 - Ditch protection; > 75% Carbon County CAR
5	Campbell Lake (7,085)	5,622	428	--	1,035	23 / --	1,463 21%	1.ii – Infrastructure - inholding - boundary protection; 2 - Ditch protection; > 50% Carbon County CAR
6	Deep Creek (6,411)	3,254	721	780	1,980	-- / --	3,157 49%	1.i - WGFD Colorado River Cutthroat Trout (CRCT) habitat; 1.ii – Infrastructure - inholding protection; < 25% Carbon County CAR
7	East Fork Encampment (7,429)	6,678	71	--	653	-- / --	751 10%	1.ii – Infrastructure - inholding protection
8	Encampment River Addition (4,982)	3,860	520	--	603	24 / 20	1,122 22%	1.ii – Infrastructure - inholding - boundary protection; 2 – Ditch/Fence protection; < 25% Carbon County CAR

MAP[8]	**Roadless Name** (Total Acres)	**No Treatment** (Acres)	**No Exception: Treatments Not Involving Timber Cutting, Sale, or Removal** (e.g., prescribed burning, shrub mastication) (Acres)	**Exception 1.i**[9]**: Treatment to Improve T&E, proposed or sensitive species habitat** (Acres)	**Exception 1.ii: Treatments to restore ecosystem function** (e.g., reduce risk of uncharacteristic wildfire effects) (Acres)	**Exception 2: Treatments incidental to management activity not otherwise prohibited by Roadless Rule)** (i.e., Ditch/ Fence clearing) Ditch/Fence (Acres)	**Total Available for Treatment** (Acres & %)[10]	**Proposal and Rationale**[11]
9	French Creek (5,925)	5,640	93	--	192	-- / --	285 5%	1.ii – Infrastructure - inholding - boundary protection; < 25% Carbon/Albany County CAR
10	Huston Park Addition (8,400)	1,262	1,889	622	5,244	12 / 11	7,138 85%	1.i – WGFD CRCT habitat; 1.ii – Infrastructure - inholding protection / Cheyenne Board of Public Utilities (BOPU) catchment protection; 2 – Ditch/Fence protection; ~50% Carbon County CAR
11	Illinois Creek (6,708)	4,738	393	--	1,572	-- / 11	1,970 29%	1.ii – Infrastructure - inholding protection / WGFD MDI area; 2 – Fence protection; < 25% Albany County CAR
12	Libby Flats (11,082)	7,465	193	--	3,424	-- / 1	3,617 33%	1.ii – Infrastructure - inholding protection; 2 – Fence protection < 25% Albany County CAR
13	Little Sandstone (5,481)	275	3,474	--	1,733	-- / 202	5,206 95%	1.ii – Infrastructure - inholding - boundary protection / WGFD aspen enhancement; 2 - Fence protection; 100% Carbon County CAR

MAP[8]	**Roadless Name** (Total Acres)	**No Treatment** (Acres)	**No Exception: Treatments Not Involving Timber Cutting, Sale, or Removal** (e.g., prescribed burning, shrub mastication) (Acres)	**Exception 1.i**[9]**: Treatment to Improve T&E, proposed or sensitive species habitat** (Acres)	**Exception 1.ii: Treatments to restore ecosystem function** (e.g., reduce risk of uncharacteristic wildfire effects) (Acres)	**Exception 2: Treatments incidental to management activity not otherwise prohibited by Roadless Rule)** (i.e., Ditch/ Fence clearing) Ditch/Fence (Acres)	**Total Available for Treatment** (Acres & %)[10]	**Proposal and Rationale**[11]
14	Little Snake (9,920)	3,670	1,627	2,507	3,330	48 / 73	6,250 63%	1.i – WGFD CRCT habitat; 1.ii – Infrastructure - inholding protection / WGFD aspen enhancement; 2 - Ditch/Fence protection; < 25% Carbon County CAR
15	Middle Fork (13,232)	6,586	1,784	581	4,303	19 / 128	6,646 50%	1.i – WGFD Boreal toad habitat; 1.ii – Infrastructure - inholding - boundary protection; 2 - Ditch/Fence protection; < 25% Albany County CAR
16	Mowry Peak (6,241)	1,100	1,825	--	3,274	-- / --	5,141 82%	1.ii – Infrastructure - inholding protection; ~50% Carbon County CAR
17	Pennock Mountain (9,592)	99	2,675	--0	6,828	4 / 198	9,493 99%	1.ii – Infrastructure - inholding – boundary protection / WGFD MDI area; 2 – Ditch/Fence protection; <25% Carbon County CAR
18	Platte River Addition (7,948)	4,573	1,701	--	1,673	-- / 82	3,375 42%	1.ii – Infrastructure - inholding - boundary protection / WGFD MDI area 2 – Fence protection

MAP[8]	**Roadless Name** (Total Acres)	**No Treatment** (Acres)	**No Exception: Treatments Not Involving Timber Cutting, Sale, or Removal** (e.g., prescribed burning, shrub mastication) (Acres)	**Exception 1.i**[9]**: Treatment to Improve T&E, proposed or sensitive species habitat** (Acres)	**Exception 1.ii: Treatments to restore ecosystem function** (e.g., reduce risk of uncharacteristic wildfire effects) (Acres)	**Exception 2: Treatments incidental to management activity not otherwise prohibited by Roadless Rule)** (i.e., Ditch/ Fence clearing) Ditch/Fence (Acres)	**Total Available for Treatment** (Acres & %)[10]	**Proposal and Rationale**[11]
19	Rock Creek (18,860)	12,081	867	--	5,906	12 / 114	6,779 36%	1.ii – Infrastructure - inholding - boundary protection; 2 – Ditch/Fence protection; ~35% Carbon County CAR
20	Savage Run Addition (2,370)	2,000	339	--	28	-- / 4	370 16%	1.ii – Infrastructure - inholding protection / WGFD MDI area; 2 – Fence protection
21	Sheep Mountain (17,615)	42	10,488	--	7,085	42 / --	17,573 100%	1.ii – Infrastructure - inholding - boundary / WGFD MDI area; 2 – Ditch protection; <25% Albany County Community at Risk
22	Singer Peak (10,491)	3,183	1,295	3,158	3,674	1 / 39	7,308 70%	1.i – WGFD CRCT habitat; 1.ii – Infrastructure - inholding protection; 2- Ditch/Fence protection; ~75% Carbon County CAR
23	Snowy Range (29,637)	23,726	2,572	--	3,339	22 / 30	5,911 20%	1.ii – Infrastructure - inholding protection; 2 – Ditch/Fence protection <25% Albany County CAR

MAP[8]	**Roadless Name** (Total Acres)	**No Treatment** (Acres)	**No Exception: Treatments Not Involving Timber Cutting, Sale, or Removal** (e.g., prescribed burning, shrub mastication) (Acres)	**Exception 1.i**[9]**: Treatment to Improve T&E, proposed or sensitive species habitat** (Acres)	**Exception 1.ii: Treatments to restore ecosystem function** (e.g., reduce risk of uncharacteristic wildfire effects) (Acres)	**Exception 2: Treatments incidental to management activity not otherwise prohibited by Roadless Rule)** (i.e., Ditch/ Fence clearing) Ditch/Fence (Acres)	**Total Available for Treatment** (Acres & %)[10]	**Proposal and Rationale**[11]
24	Solomon Creek (5,757)	1,332	1,015	2,516	1,942	37 / 26	4,425 77%	1.i – WGFD CRCT habitat; 1.ii – Infrastructure - inholding protection / Cheyenne BOPU protection; 2 – Ditch/Fence protection
25	Strawberry Creek (5,876)	260	1,081	--	4,531	35/93	5,615 96%	1.ii – Infrastructure - inholding - boundary protection; 2 – Ditch/Fence protection; >90% Carbon County CAR
SUM	230,222	107,319 47%	43,374 19%	10,164 4%	65,178 28%	376/ 1,355	122,903 53%	

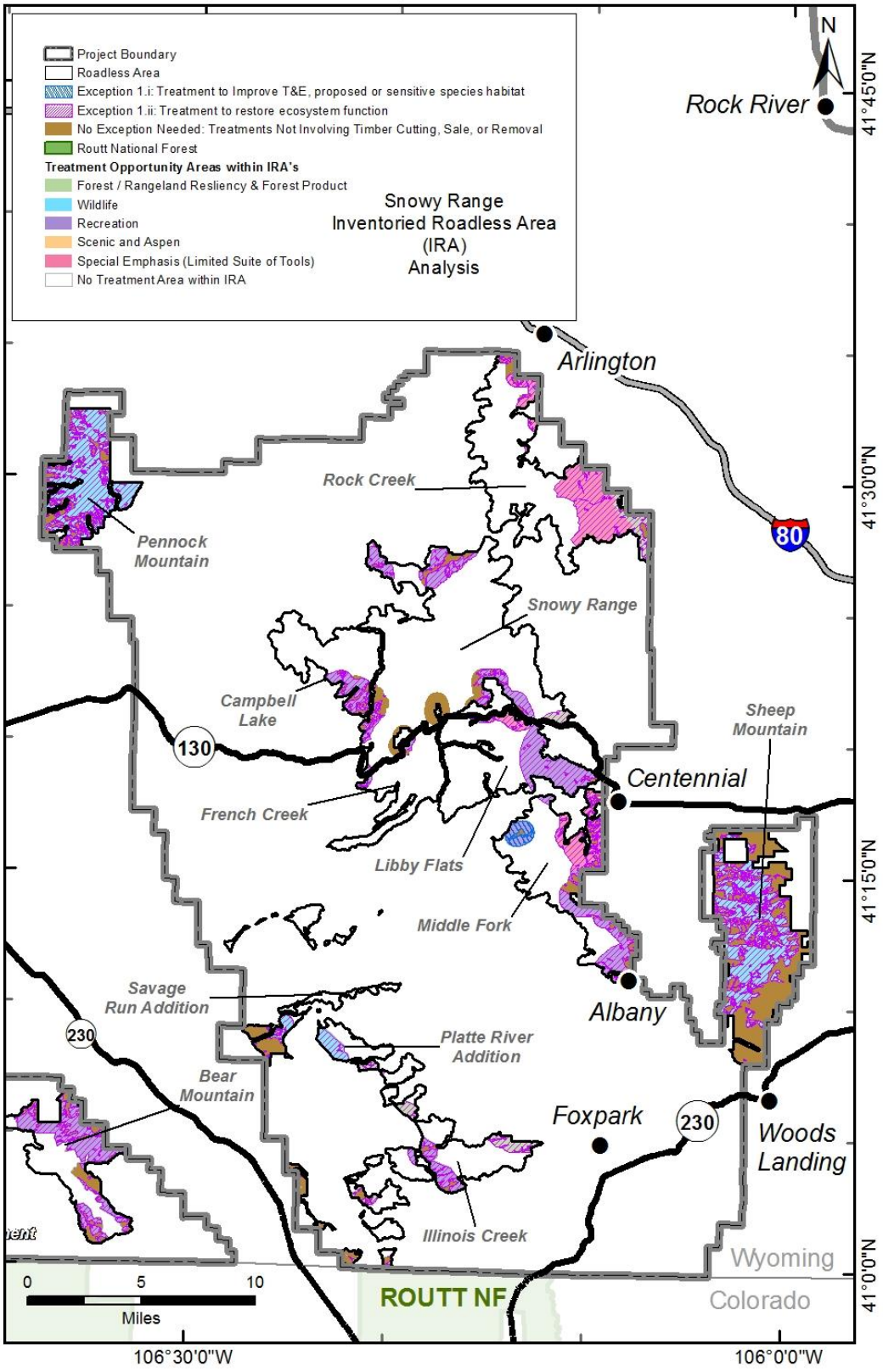

Figure 6. Treatment Opportunity Areas and Applicable Exceptions within Inventoried Roadless Areas (Snowy Range).

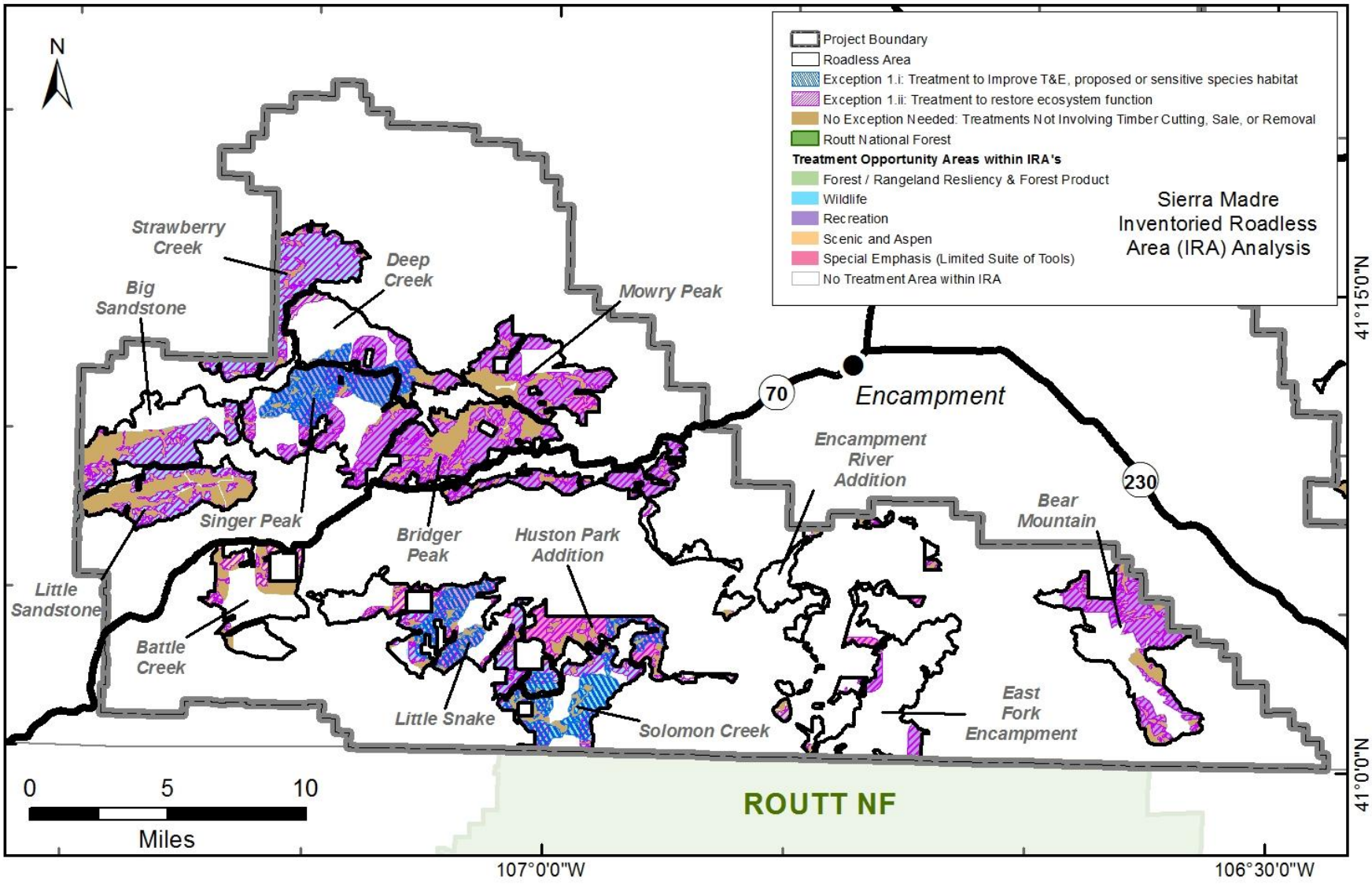

Figure 7. Treatment Opportunity Areas and Applicable Exceptions within Inventoried Roadless Areas (Sierra Madre).

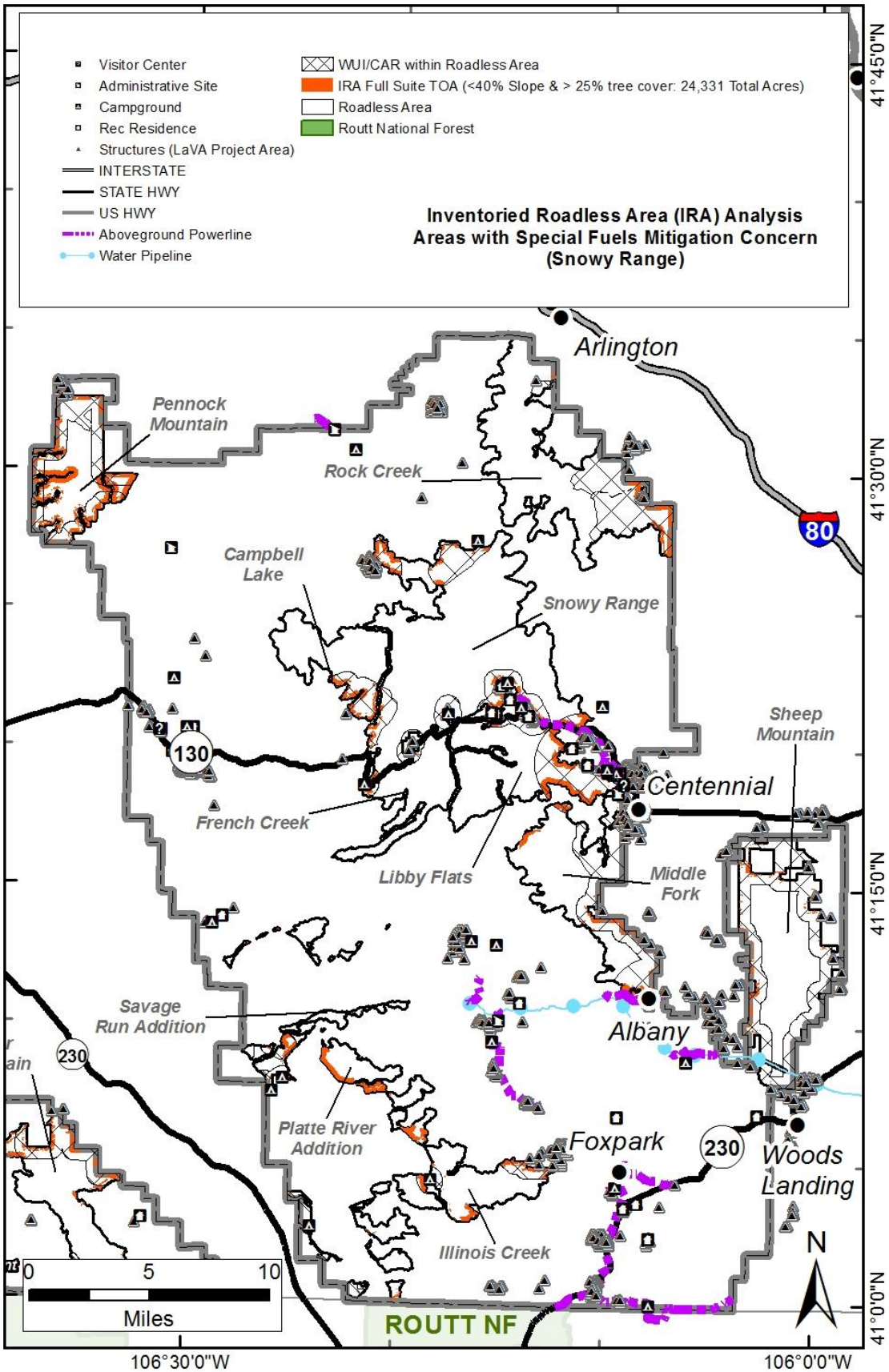

Figure 8. Overlap of Wildland Urban Interface and County Community at Risk areas and Potential Mechanical Timber Cutting and Removal within IRAs (Snowy Range).

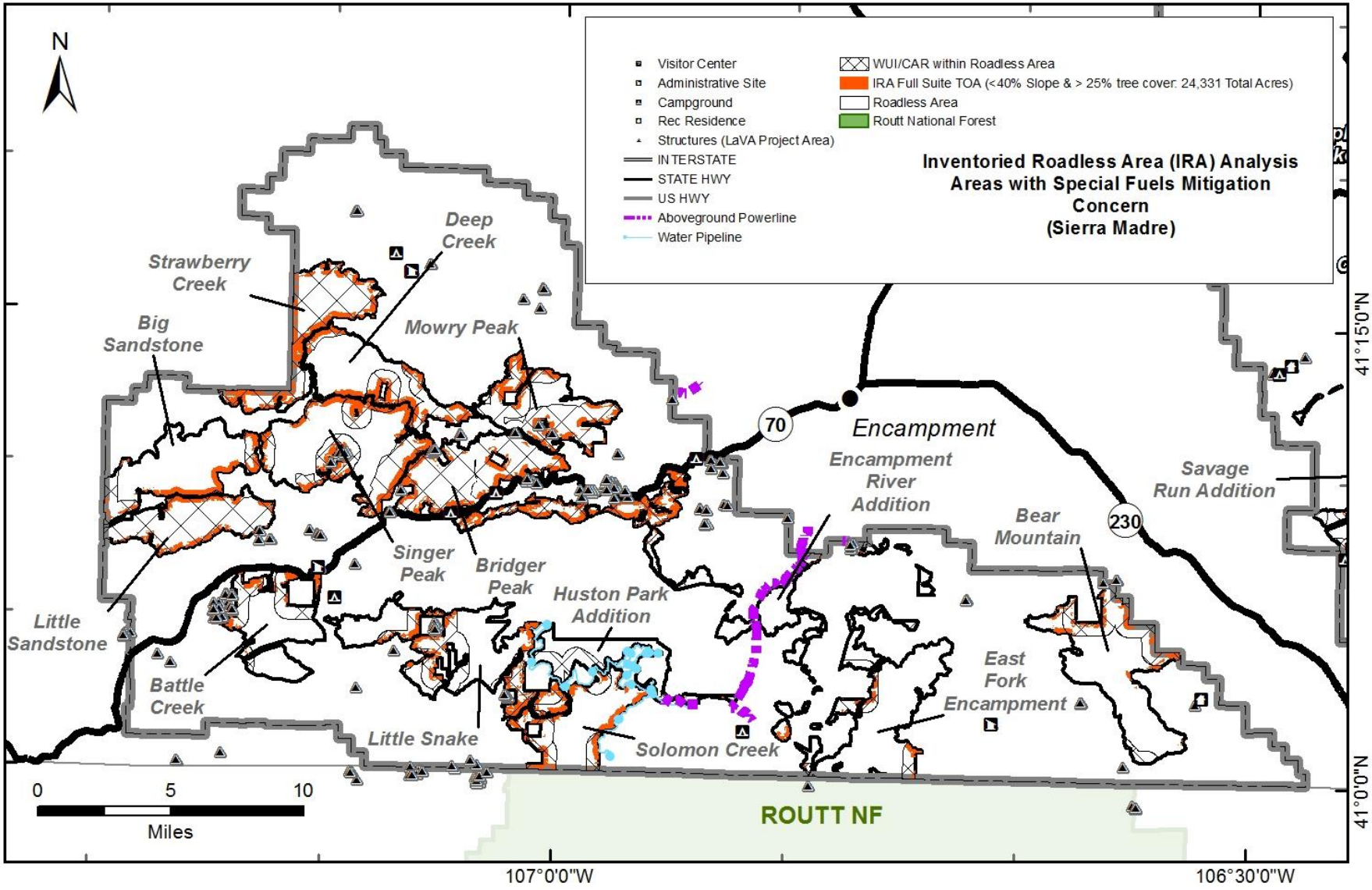

Figure 9. Overlap of Wildland Urban Interface and County Community at Risk areas and Potential Mechanical Timber Cutting and Removal within IRAs (Sierra Madre).

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